



## BYLAW TEMPLATE FOR CITY ADVISORY BODIES

### Portland Bicycle Advisory Committee (“Body”)

- I. **Body created on** February 5, 1992, by
- Portland City Code \_\_\_\_\_
  - Council Resolution 34954 \_\_\_\_\_
  - Council Ordinance \_\_\_\_\_
  - Bureau \_\_\_\_\_; by whom \_\_\_\_\_
  - Other \_\_\_\_\_

#### A. Purpose

The purpose of the Portland Bicycle Advisory Committee is to advise City Council and all departments of the City on all matters relating to the use of the bicycle as a means of transportation and recreation. The Body is a perpetual committee.

The responsibilities of the committee shall include but are not limited to:

#### Section 1. Bikeway Policy

- a. Review and make recommendations on planning documents prepared by City departments affecting the use of the bicycle as a transportation and recreational mode. These shall include but are not limited to the Comprehensive Plan, Arterial Streets Classification Policy, Neighborhood Plans, area-wide Development Plans, and the Central City Plan.
- b. Review and make recommendations regarding funding priorities for Bicycle Program activities and Capital Improvement Projects in so far as they relate to bicycling.
- c. Monitor activities of other jurisdictions as they affect bicycling in the City.

#### Section 2. Bikeway Implementation

- a. Review and make recommendations on Capital Improvement Projects developed by City departments and outside agencies to ensure that adequate consideration is given to bicycles.
- b. Review and make recommendations regarding Bikeway Signing and Improvement Plans.

- c. Advise Bureau of Transportation staff on issues related to public involvement in Bikeway improvement projects.

### **Section 3. Education and Equity**

- a. Provide input on the strategy for incorporating an equity framework into PBOT's work and direction on the inclusion of communities that have been traditionally underserved by PBOT.
- b. Advise City staff on issues related to promoting bicycle safety and education.
- c. Provide input for strategy for building a framework for mobility and transportation justice to mitigate against gentrification and displacement of communities of color and low-income communities.

### **Section 4. Community Input/Feedback**

Encourage community participation in identifying problem areas, reviewing existing facilities, and planning and implementing new projects and programs.

#### **B. Sponsor Bureau: Portland Bureau of Transportation**

#### **C. Bureau liaison/title: City Bicycle Coordinator**

#### **D. Advise to**

- **City Council**
- Elected-in-Charge
- Bureau Director
- City Bicycle Coordinator

## **II. City Role**

The Bureau will provide a staff person to assist with technical support, substantive expertise, logistical assistance, administrative assistance, and advice to the Body. The Bureau will also provide public notice of all meetings, post materials to a webpage, and prepare meeting summaries that outline the issues discussed, the areas in which there is agreement, and any remaining issues on which agreement was not reached.

## **III. Frequency of Meetings**

The Body shall meet at least 12 times each calendar year and as otherwise necessary to conduct its business. Meetings shall be conducted in accordance with the operating procedures specified herein.

## **IV. Membership and Term**

Members of advisory bodies are public officials. They should become familiar with rules and responsibilities described at the "Oregon Government Ethics Law - A Guide for Public Officials" (Oregon Government Ethics Commission).

- A. Total membership consists of 20 seats  
All seats to serve for 2 years.

**B. Terms**

All terms begin and end at the same time

**C. Term Limits**

1. Members may serve any number of terms not to exceed eight years of total consecutive service. Completion of an unexpired term does not apply toward the eight-year cumulative.
2. At the completion of each term, regardless of term length, incumbents are required to complete notice of intent to continue to serve and discuss mutual benefits of continuing on the body with the designated bureau staff.
3. Members interested in continuing service beyond eight years must sit out for one term before reapplying to serve on the same advisory body.

Members may not have alternates and all serving members are selected and appointed to full terms. Whether a seat is filled for the remainder of the vacated term or anew will be determined by the appointing entity. If there are vacancies, including if a position becomes vacated during a term, normal recruitment processes should follow. The process includes recruitment applications, vetting and selecting members, and appointment by the Elected-in-Charge.

**D. Quorum**

A quorum shall consist of a simple majority: 50% plus 1 or greater number

**E. Voting**

Majority of seats per ORS 174.130

A quorum shall be necessary of voting members to make decisions that represent the position of the Body and to fulfill any other responsibilities. Proxy/absentee voting is not allowed.

**V. General Operating Procedures****A. Disclosure of Conflicts of Interest [or other connection]**

- A public official is required to make an announcement of the nature of a conflict of interest each time the issue giving rise to the conflict of interest is discussed or acted upon.
- The announcement needs to be made on each occasion when the public official is met with the conflict of interest, and the public official must disclose the nature of the conflict of interest.
- For example, an elected member of the City Council would have to make the public announcement one time when met with the conflict of interest, but only one time in each meeting of the City Council. If the matter giving rise to the conflict of interest is raised at another meeting, the disclosure must be made again at that meeting.

- Bureau liaison and/or staff are obligated to record and keep all conflicts of interest that are announced during each meeting.
- If it is found that a member did not disclose a conflict of interest, staff must alert the Bureau Director of the instance as soon as the incidence is known.
- Any potential or actual conflict of interest noted by staff will be included in the recommendation report provided to City Council or other final decision-making body.

- B.** Meetings will be conducted to foster collaborative decision-making using either:
- Robert's Rules of Order culminating in a majority vote;
  - Consensus Decision Making (including Modified Consensus Decision Making). This still requires a quorum and a final vote.

## **VI. Removal of Members and Resignations**

- A.** All members serve at the pleasure of the Elected-in-Charge of the Bureau and may be asked to resign or be removed at the Elected-in-Charge's discretion at any time unless authority exists requiring a different process.

- B.** Any member who does not give notice that they intend to be absent from a scheduled meeting for more than 25 percent of the meetings in any 12 months of the service will be removed by the Bureau Director.

**C.** Process for removal

- For unexcused absences: Bureau liaison keeps attendance and informs Bureau Director of absences, who in turn informs the member in writing that they have been removed as a member of the Body.
- By Elected-in-Charge: Elected informs the member in writing that they have been removed as a member of the Body.

**D.** Resignation process

Members are expected to make a good faith effort to complete their term. In cases where this is not possible, members are expected to provide notice to the City staff liaison in writing (preferred) or verbally. Members are encouraged to complete the Resignation Form and submit to City staff liaison.

## **VII. Officers and Subcommittees**

The presiding officers of the Body may consist of the following positions in sequential presiding order

- Chairperson (Chair)
- Vice-chairperson

and will act as designated leadership appointed by:

- Majority vote of members or consensus decision-making.

The designated leadership shall be responsible for conducting the meetings and will be voting members of the advisory body. A presiding officer will be designated at all times. The

designated leadership may look to Bureau liaison to facilitate meetings.

The designated leadership will encourage full and safe participation by representatives in all aspects of the process, assist in the process of building consensus, and ensure all participants abide by the Body's operating procedures. The Chair and the Bureau staff liaison will also serve as liaison between the members of the Body and the City. In consultation with the Facilitator (if there is one) and Bureau liaison, the designated leadership will develop meeting agendas, establish subcommittees if needed, and ensure an efficient advisory process.

The Body may divide its members into subcommittees authorized to act on behalf of the full Body for an assigned purpose.

Subcommittee meetings are also subject to Oregon Public Meetings Law and must abide by quorum requirements when voting. While subcommittees may engage non-members, only members may vote to approve reports and recommendations to be forwarded to the full Body. When voting, the quorum for subcommittee members is the simple majority of the subcommittee (50% plus 1 or greater number of seats).

#### **VIII. Facilitator Role (optional)**

The City may contract with an independent and neutral third party whose role is to facilitate meetings, help develop recommendations, and produce approved reports. The Facilitator will not act as an advocate on any issue, any interest group, or any member of the Body.

Specific facilitators' responsibilities are determined by the needs of the Bureau and advisory board, but may include:

- Ensure a welcoming meeting environment where all members can participate.
- Ensure a safe environment for minority opinions.
- Conduct meetings in a manner to foster collaborative decision-making and consensus building.

#### **IX. Communications**

Members agree that transparency is essential to all deliberations. In that regard:

- Advisory body members are required to notify City staff liaison of verbal communications with interest groups and all communications with media. Members are required to copy the City staff liaison and, when appropriate, the Facilitator on all written communications from/to interest groups (other than a group specifically represented by a member) commenting on the Body's deliberations. These communications will be included in the public record as detailed below and copied to the Chair and/or full Body as appropriate.
- On rare occasions, some advisory bodies may ask or be asked to write position letters to external groups or governments in support or opposition of policy issues that are relevant to the purpose and scope of the Body. This is accomplished by first proposing the position to the Staff Liaison to the advisory body. The Staff Liaison and/or bureau leadership must work with PBOT's liaison to the Office of Government Relations if the external communication is with a regional, state, federal or tribal government according

to PBOT procedures. This process is required in accordance with Administrative Rule 3.01, which establishes the Office of Government Relations as the central coordinating body for this external intergovernmental outreach.

**X. Public Meetings and Records**

Meetings of the full body and subcommittee meetings are open to the public and will be conducted under the provisions of Oregon Public Meetings Law (ORS 192.610-690). The Bureau liaison will provide notice to the public regarding the dates, times, and locations of all meetings:

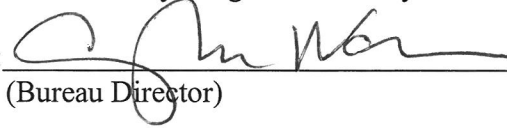
- Regular meetings:
  - Best practices: at least one week,
  - Minimum requirement: at least 48 hours,
- Special meetings: at least 24 hours.

Per ORS 192.670(1), advisory body members can participate through telephonic conference calls. Requests for any other electronic communication means require approval from the Bureau liaison with City Attorney consultation. All records of the Body, including formal documents, discussion drafts, meeting summaries, and exhibits are public records. Communications among members related to the subject matter of this Body should not be treated as confidential and may be subject to public records requests. "Communications" refers to all statements and votes made during meetings, memoranda, work projects, records, documents, text messages, pictures, or materials developed to fulfill the charge, including electronic mail correspondence by and among the members. The personal notes of individual members taken at public meetings might be considered to be public record to the extent they "relate to the conduct of the public's business," (ORS 192.410(4)). Members are not allowed to deliberate towards a decision over e-mail, as public participation needs to be guaranteed through that process.

**XI. Amendment of Bylaws**

The Body may vote to recommend to the Elected-in-Charge amendment or repeal of these Bylaws. The Bureau may also recommend changes to the Elected-in-Charge. The Elected-in-Charge must sign off on original bylaws and any amendments to the bylaws. Members have no authority to amend bylaws without approval.

Original Bylaws Created by: Roger Geller/Bicycle Coordinator on June 6, 2019

Approved by: , on 2/24/20.  
(Bureau Director) (date approved)

Amended: \_\_\_\_\_, on \_\_\_\_\_  
(name, title) (date amended)

Approved by: \_\_\_\_\_, on \_\_\_\_\_  
(Elected/Bureau Director) (date approved)



## BYLAW TEMPLATE FOR CITY ADVISORY BODIES

[Portland Pedestrian Advisory Committee] (“Body”)

**I. Body created on September 22, 1993, by**

- Portland City Code \_\_\_\_\_
- Council Resolution 35185 \_\_\_\_\_
- Council Ordinance \_\_\_\_\_
- Bureau \_\_\_\_\_; by whom \_\_\_\_\_
- Other \_\_\_\_\_

**A. Purpose**

The purpose of the Portland Pedestrian Advisory Committee is to advise City Council and all departments of the City on all matters that encourage and enhance walking as a means of transportation, recreation, wellness, and environmental enhancement. In this context walking includes the use of medically approved devices that provide a similar level of mobility. The Pedestrian Advisory Committee is a perpetual body.

The responsibilities of the committee shall include but are not limited to:

**Section 1. Pedestrian Policy**

- a. Review and make recommendations on planning documents prepared by City bureaus affecting pedestrians and pedestrian facilities. These shall include but are not limited to the Comprehensive Plan, the Transportation System Plan, Neighborhood Plans, area-wide Development Plans, and the Central City Plan.
- b. Review and make recommendations regarding funding priorities for Pedestrian program activities, Capital Improvement Projects, and other activities insofar as they relate to Pedestrians.
- c. Maintain and periodically update the Portland Pedestrian Design Guide and Pedestrian Master Plan. Monitor the implementation of those documents.
- d. Monitor activities of other City Bureaus, jurisdictions, Metro, and the State as they affect pedestrians and pedestrian facilities in the City.
- e. Ensure that pedestrian policies and plans promote equity by meeting the needs of people from traditionally underserved communities.

**Section 2. Pedestrian Network Implementation**

- a. Assist Portland Transportation staff in setting priorities for pedestrian improvements.
- b. Review and make recommendations on Capital Improvement Projects developed within the City boundaries by governmental agencies to ensure that pedestrian needs and pedestrian facilities are given full attention.
- c. Provide staff with comment and recommendations relating to urban design and planning issues including transportation needs and other elements of the public realm and the pedestrian environment.
- d. Advise Bureau of Transportation staff on issues related to public involvement.

**Section 3. Education and Enforcement**

- a. Advise City staff on issues related to promoting pedestrian safety and education.
- b. Promote walking as the most environmentally friendly form of transportation.
- c. Promote walking for health and recreation.
- d. Work with law enforcement and other City bureaus to promote enforcement of and education about laws, policies and regulations pertaining to pedestrians.

**B. Sponsor Bureau:** PBOT\_

**C. Bureau liaison/title:** PBOT Pedestrian Coordinator\_\_\_\_\_

**D. Advise to**

- City Council
- Elected-in-Charge<sup>1</sup> \_\_\_\_\_
- Bureau Director
- Designated bureau staff (title) \_\_\_\_\_

**II. City Role**

The Bureau will provide a staff person to assist with technical support, substantive expertise, logistical assistance, administrative assistance, and advice to the Body. The Bureau will also provide public notice of all meetings, post materials to a webpage, and prepare meeting summaries that outline the issues discussed, the areas in which there is agreement, and any remaining issues on which agreement was not reached.

**III. Frequency of Meetings**

The Body shall meet monthly year-round and as otherwise necessary to conduct its business.

\_\_\_\_\_

<sup>1</sup> The term Elected-in-Charge refers to any of the five elected Commissioners (including the Mayor) plus the City Auditor.



Meeting dates and times can change at the discretion of the Chair and Vice-Chair, such as if the meeting falls on a holiday or in the event of inclement weather. Meetings shall be conducted in accordance with the operating procedures specified herein.

#### IV. Membership and Term

Members of advisory bodies are public officials. They should become familiar with rules and responsibilities described at the “Oregon Government Ethics Law - A Guide for Public Officials” (Oregon Government Ethics Commission).

A. Total membership consists of 15 seats.

All seats sever 2-year terms.

B. Terms:

- Staggered
- All terms begin/end at the same time

C. Term Limits

1. Members may serve any number of terms not to exceed eight years of total consecutive service. Completion of an unexpired term does not apply toward the eight-year cumulative.
2. At the completion of each term, regardless of term length, incumbents are required to complete notice of intent to continue to serve and discuss mutual benefits of continuing on the body with the designated bureau staff.
3. Members interested in continuing service beyond eight years must sit out for:
  - two years (if the body does not have set terms)
  - one term

before reapplying to serve on the same advisory body.

Members may not have alternates and all serving members are selected and appointed to full terms. Whether a seat is filled for the remainder of the vacated term or anew will be determined by the appointing entity. If there are vacancies, including if a position becomes vacated during a term, normal recruitment processes should follow. The process includes recruitment applications, vetting and selecting members, and appointment by the Elected-in-Charge (for types I and II bodies) or bureau director (for type III bodies).

D. Appointment

1. Qualifications: Any person who lives, works, or worships in the City of Portland shall be eligible for membership. Applicants should have an interest in transportation planning and design, and promoting walking for transportation, recreation, and environmental enhancement, an understanding of transportation and urban design issues, have good communication skills for working on a committee, and make a commitment to attend monthly meetings and participate in

the work of the committee.

2. Becoming a Member:

- a. A membership subcommittee shall be formed to recruit new members and review applicants' qualifications, interview applicants, and present recommendations to the PAC for membership.
- b. Applications for membership are made through the Bureau of Transportation.

3. Representational Goals: In addition to the general qualifications for membership above, the Committee should include members who can offer the perspective of the special needs of the elderly, children, the disabled (especially wheel chair users), and distinct geographical areas. The committee will represent the needs of a variety of social, cultural, and economic groups, and distinct geographical areas of the city, and include members who can add to the variety of organizational, operational and technical knowledge within the Committee.

Members may not have alternates and all serving members are selected and appointed to full terms. Whether a seat is filled for the remainder of the vacated term or anew will be determined by the appointing entity. If there are vacancies, including if a position becomes vacated during a term, normal recruitment processes should follow. The process includes recruitment applications, vetting and selecting members, and appointment by the Elected-in-Charge (for types I and II bodies) or bureau director (for type III bodies).

E. Quorum:

- Simple majority: 50% plus 1 or greater number of seats
- A specific number \_\_\_\_\_, per the authority of \_\_\_\_\_ [other law]

(Type III advisory boards advising an individual rather than Council are not required to have a quorum to deliberate. These bodies may use alternative means to arrive at recommendations.)

F. Voting:

- Majority of seats per ORS 174.130
- Majority of quorum present per the authority of \_\_\_\_ [other law]

A quorum shall be necessary of voting members to make decisions that represent the position of the Body and to fulfill any other responsibilities. Proxy/absentee voting is not allowed.

(Type III advisory boards advising an individual rather than Council are not required to administer a formal vote to make recommendations.)

**V. General Operating Procedures**

A. Disclosure of Conflicts of Interest [or other connection]

- A public official is required to make an announcement of the nature of a conflict

of interest each time the issue giving rise to the conflict of interest is discussed or acted upon.

- The announcement needs to be made on each occasion when the public official is met with the conflict of interest, and the public official must disclose the nature of the conflict of interest.
- For example, an elected member of the City Council would have to make the public announcement one time when met with the conflict of interest, but only one time in each meeting of the City Council. If the matter giving rise to the conflict of interest is raised at another meeting, the disclosure must be made again at that meeting.
- Bureau liaison and/or staff are obligated to record and keep all conflicts of interest that are announced during each meeting.
- If it is found that a member did not disclose a conflict of interest, staff must alert the Bureau Director of the instance as soon as the incidence is known.
- Any potential or actual conflict of interest noted by staff will be included in the recommendation report provided to City Council or other final decision-making body.

B. Meetings will be conducted to foster collaborative decision-making using either:

- Robert's Rules of Order culminating in a majority vote;
- Consensus Decision Making (including Modified Consensus Decision Making). This still requires a quorum and a final vote.

## VI. Removal of Members and Resignations

A. All members serve at the pleasure of the Elected-in-Charge of the Bureau (for bodies advising council) or Bureau Director (for all other bodies) and may be asked to resign or be removed at the Elected-in-Charge or Director's discretion at any time unless authority (for instance, Code, statute, etc.) exists requiring a different process.

B. Any member who does not give notice that they intend to be absent from a scheduled meeting for more than 25 percent of the meetings in any 12 months of the service will be removed by the Elected-in-Charge.

C. Process for removal

- For unexcused absences: Bureau liaison keeps attendance and informs Bureau Director of absences, who in turn informs the member in writing that they have been removed as a member of the Body.
- By Elected-in-Charge: Elected informs the member in writing that they have been removed as a member of the Body.

D. Resignation process

Members are expected to make a good faith effort to complete their term. In cases where this is not possible, members are expected to provide notice to the City staff liaison in

writing (preferred) or verbally. Members are encouraged to complete the Resignation Form and submit to City staff liaison.

### **VII. Officers and Subcommittees (optional)**

The presiding officers of the Body may consist of the following positions in sequential presiding order

- ✓ Chairperson (Chair)
- ✓ Vice-chairperson (Vice-Chair)
- coordinating committee (or similar)

and will act as designated leadership appointed by:

- Elected-in-Charge.
- Bureau Director.
- ✓ Majority vote of members or consensus decision-making.

The Committee may opt (by vote) to designate two Co-Chairs who will share leadership responsibilities in lieu of a Chair and Vice-Chair.

The designated leadership shall be responsible for conducting the meetings and will be voting members of the advisory body. A presiding officer will be designated at all times. The designated leadership may look to Bureau liaison to facilitate meetings.

The designated leadership will encourage full and safe participation by representatives in all aspects of the process, assist in the process of building consensus, and ensure all participants abide by the Body's operating procedures. The

- Chair and the Bureau staff liaison
- ✓ Bureau staff liaison
- Other \_\_\_\_\_

will also serve as liaison between the members of the Body and the City. In consultation with the Facilitator (if there is one) and Bureau liaison, the designated leadership will develop meeting agendas, establish subcommittees if needed, and ensure an efficient advisory process.

The Body may divide its members into subcommittees authorized to act on behalf of the full Body for an assigned purpose.

Subcommittee meetings are also subject to Oregon Public Meetings Law and must abide by quorum requirements when voting. While subcommittees may engage non-members, only members may vote to approve reports and recommendations to be forwarded to the full Body. When voting, the quorum for subcommittee members is the simple majority of the subcommittee (50% plus 1 or greater number of seats).

### **VIII. Facilitator Role**

The City may contract with an independent and neutral third party whose role is to facilitate

meetings, help develop recommendations, and produce approved reports. The Facilitator will not act as an advocate on any issue, any interest group, or any member of the Body.

Specific facilitators' responsibilities are determined by the needs of the Bureau and advisory board, but may include:

- Ensure a welcoming meeting environment where all members can participate.
- Ensure a safe environment for minority opinions.
- Conduct meetings in a manner to foster collaborative decision-making and consensus building.

## **IX. Communications**

Members agree that transparency is essential to all deliberations. In that regard:

- Advisory body members are required to notify City staff liaison of verbal communications with interest groups and all communications with media. Members are required to copy the City staff liaison and, when appropriate, the Facilitator on all written communications from/to interest groups (other than a group specifically represented by a member) commenting on the Body's deliberations. These communications will be included in the public record as detailed below and copied to the Chair and/or full Body as appropriate.
- On rare occasions, some advisory bodies may ask or be asked to write position letters to external groups or governments in support or opposition of policy issues that are relevant to the purpose and scope of the Body. This is accomplished by first proposing the position to the Staff Liaison to the advisory body. The Staff Liaison and/or bureau leadership must work with PBOT's liaison to the Office of Government Relations if the external communication is with a regional, state, federal or tribal government according to PBOT procedures. This process is required in accordance with Administrative Rule 3.01, which establishes the Office of Government Relations as the central coordinating body for this external intergovernmental outreach.

## **X. Public Meetings and Records**

Meetings of the full body and subcommittee meetings are open to the public and will be conducted under the provisions of Oregon Public Meetings Law (ORS 192.610-690). The Bureau liaison will provide notice to the public regarding the dates, times, and locations of all meetings:

- Regular meetings:
  - Best practices: at least one week,
  - Minimum requirement: at least 48 hours,
- Special meetings: at least 24 hours.

Per ORS 192.670(1), advisory body members can participate through telephonic conference calls. Requests for any other electronic communication means require approval from the Bureau liaison with City Attorney consultation. All records of the Body, including formal documents, discussion drafts, meeting summaries, and exhibits are public records. Communications among members related to the subject matter of this Body should not be treated as confidential and may be subject to public records requests. "Communications" refers to all statements and votes made

during meetings, memoranda, work projects, records, documents, text messages, pictures, or materials developed to fulfill the charge, including electronic mail correspondence by and among the members. The personal notes of individual members taken at public meetings might be considered to be public record to the extent they "relate to the conduct of the public's business," (ORS 192.410(4)). Members are not allowed to deliberate towards a decision over e-mail, as public participation needs to be guaranteed through that process.

**XI. Amendment of Bylaws**

The Body may vote to recommend to the Elected-in-Charge amendment or repeal of these Bylaws. The Bureau may also recommend changes to the Elected-in-Charge. The Elected-in-Charge must sign off on original bylaws and any amendments to the bylaws. Members have no authority to amend bylaws without approval.

Original Bylaws Created by: Michelle Marx, PBOT Pedestrian Coordinator on August 8, 2019

Approved by: , on 2/24/20.  
(Elected/Bureau Director) (date approved)

Amended: \_\_\_\_\_, on \_\_\_\_\_.  
(name, title) (date amended)

Approved by: \_\_\_\_\_, on \_\_\_\_\_.  
(Elected/Bureau Director) (date approved)

Amended: \_\_\_\_\_, on \_\_\_\_\_.  
(name, title) (date amended)

Approved by: \_\_\_\_\_, on \_\_\_\_\_.  
(Elected/Bureau Director) (date approved)



## BYLAW TEMPLATE FOR CITY ADVISORY BODIES

### Portland Freight Advisory Committee

- I. **Body created on September 10, 2003, by Council Resolution #36167**

#### Mission

*Support and enhance the economy of the City of Portland by advancing a balanced and well-managed multi-modal freight network.*

#### **A. Purpose**

The purpose of the Portland Freight Advisory Committee (PFC) is to advise the City Council and all city departments on matters relating to the multi-modal freight network.

The committee shall:

- Serve as a forum for discussion, an opportunity for joint action, and a source of knowledge and advice for City transportation decisions affecting freight mobility.
- Promote the cross-sharing of information between private and public sectors on multi-modal freight issues.
- Advocate the importance of freight mobility to the economic well-being of Portland and the region.
- Champion a sound multi-modal freight and goods delivery network.
- Participate with other freight advocacy groups at the state, regional and local level.
- Inform and advise City transportation decisions on policy, planning, and projects.

The roles and responsibilities of the committee shall include but are not limited to:

#### Policy Development

- a. Advise in the development and update of the Freight Master Plan for the City of Portland.
- b. Review and make recommendations on City planning efforts that affect the multi-modal freight system network. These efforts shall include but are not limited to Comprehensive Plan updates, Transportation System Plan updates, Community Plans, area-wide Development Plans, and Corridor Plans
- c. Monitor policy development activities of other local jurisdictions, Portland of Port, Metro and the State as they affect the movement of freight and the multi-modal freight network in the City.

### Implementation

- a. Review plans and make recommendations on Capital Improvement Projects developed by the City and/or outside agencies that impact the City's multi-modal freight network to ensure that adequate consideration is given to the needs of freight movement.
- b. Review and make recommendations regarding project-funding priorities for the multi-modal freight network in the City.

### **B. Sponsor Bureau: Transportation**

### **C. Bureau liaison/title: PBOT Freight Planning Coordinator**

### **D. Advise to**

**X City Council**

## **II. City Role**

The Bureau will provide a staff person to assist with technical support, substantive expertise, logistical assistance, administrative assistance, and advice to the Body. The Bureau will also provide public notice of all meetings, post materials to a webpage, and prepare meeting summaries that outline the issues discussed, the areas in which there is agreement, and any remaining issues on which agreement was not reached.

## **III. Frequency of Meetings**

Committee meetings are held each month on the first Thursday of the month, unless otherwise agreed upon. The Committee Chairs shall determine time and duration of the meeting. There will be 12 regular monthly meetings per year, unless otherwise noted due to holidays.

a.

## **IV. Membership and Term**

Members of advisory bodies are public officials. They should become familiar with rules and responsibilities described at the "Oregon Government Ethics Law - A Guide for Public Officials" (Oregon Government Ethics Commission).

### **A. Composition of Committee**

- a. The membership of the Committee shall consist of no more than 35 members with full standing.
- b. Membership in the Committee shall be open to any representative or employee of an Multi-modal Freight Service Provider, Shipper, Trade Association, business directly related to multi-modal freight activities, and community members experienced and/or interested in multi-modal freight issues. Committee membership shall also include other individuals and groups involved in multi-modal freight, industrial land use, and related economic and business development activities. Members should be interested in advocating for broad city goals.



- c. In addition to the general membership requirements, the Committee should seek to enhance diversity of freight interests by ensuring its membership draws from all of the freight modal areas including trucking, rail, maritime, air, and pipeline. In addition, membership should represent a cross-section of industrial and employment areas in the City.

## B. Terms

- a. Members shall serve for a two-year term. Terms begin September 1st and terminate August 31st.
- b. Bureau staff liaison will review membership status annually.

## C. Term Limits

Members may serve any number of terms not to exceed **eight years of total consecutive service**. Completion of an unexpired term does not apply toward the eight-year cumulative

Members interested in continuing service beyond eight years must sit out for two years (if the body does not have set terms)

Members may not have alternates and all serving members are selected and appointed to full terms. Whether a seat is filled for the remainder of the vacated term or anew will be determined by the appointing entity. If there are vacancies, including if a position becomes vacated during a term, normal recruitment processes should follow. The process includes recruitment applications, vetting and selecting members, and appointment by the Elected-in-Charge.

## D. Quorum

Simple majority: 50% plus 1 or greater number of seats

## E. Voting

Members shall have one vote each to cast during attendance at any general or special meeting.

A quorum shall be necessary of voting members to make decisions that represent the position of the Body and to fulfill any other responsibilities. Proxy/absentee voting is not allowed.

## V. General Operating Procedures

### A. Disclosure of Conflicts of Interest [or other connection]

- A public official is required to make an announcement of the nature of a conflict of interest each time the issue giving rise to the conflict of interest is discussed or acted upon.
- The announcement needs to be made on each occasion when the public official is

met with the conflict of interest, and the public official must disclose the nature of the conflict of interest.

- For example, an elected member of the City Council would have to make the public announcement one time when met with the conflict of interest, but only one time in each meeting of the City Council. If the matter giving rise to the conflict of interest is raised at another meeting, the disclosure must be made again at that meeting.
- Bureau liaison and/or staff are obligated to record and keep all conflicts of interest that are announced during each meeting.
- If it is found that a member did not disclose a conflict of interest, staff must alert the Bureau Director of the instance as soon as the incidence is known.
- Any potential or actual conflict of interest noted by staff will be included in the recommendation report provided to City Council or other final decision-making body.
- Meetings will be conducted to foster collaborative decision-making using Consensus Decision Making (including Modified Consensus Decision Making). This still requires a quorum and a final vote.

## **VI. Removal of Members and Resignations**

- A. All members serve at the pleasure of the Elected-in-Charge of the Bureau or Bureau Director and may be asked to resign or be removed at the Elected-in-Charge or Director's discretion at any time unless authority exists requiring a different process.
- B. Any member who does not give notice that they intend to be absent from a scheduled meeting for more than 25 percent of the meetings in any 12 months of the service will be removed by the Bureau Director.
- C. Process for removal
  - For unexcused absences: Bureau liaison keeps attendance and informs Bureau Director of absences, who in turn informs the member in writing that they have been removed as a member of the Body.
  - By Elected-in-Charge: Elected informs the member in writing that they have been removed as a member of the Body.

### **D. Resignation process**

Members are expected to make a good faith effort to complete their term. In cases where this is not possible, members must complete the Resignation Form and Exit Interview to be submitted to City staff liaison.

## **VII. Officers and Subcommittees**

Committee Chairs:

- a. There shall be a Chair and Vice Chair for the Committee.

Terms of Chair Position:

- a. Each Chair shall serve a two-year term. Terms begin January, ending December of the following year.
- b. Chairs and Vice Chairs will be selected by the Commissioner with the advice of the Committee.

Nominations:

- a. A nominating subcommittee shall be formed biannually at the October meeting to select a Committee Chair and Vice Chair. The subcommittee shall report at the November meeting. Additional nominations from the floor shall be permitted at the November meeting. Elections shall be held at the December meeting.
- b. Chairs shall be elected by ballot of members present.

The designated leadership shall be responsible for conducting the meetings. A presiding officer will be designated at all times. The designated leadership may look to Bureau liaison to facilitate meetings.

The designated leadership will encourage full and safe participation by representatives in all aspects of the process, assist in the process of building consensus, and ensure all participants abide by the Body's operating procedures. The Chair and the Bureau staff liaison will also serve as liaison between the members of the Body and the City. In consultation with the Bureau liaison, the designated leadership will develop meeting agendas, establish subcommittees if needed, and ensure an efficient advisory process.

Committee Values

The committee will be:

- Inclusive in deliberations;
- Respectful of various interests in public rights-of way;
- Make informed decisions based on technical and programmatic input;
- Reach consensus whenever possible.

The Body may divide its members into standing or ad hoc subcommittees authorized to act on behalf of the full Body for an assigned purpose.

Subcommittee meetings are also subject to Oregon Public Meetings Law and must abide by quorum requirements when voting. While subcommittees may engage non-members, only members may vote to approve reports and recommendations to be forwarded to the full Body. The subcommittees will report back to the full committee when a vote is required.

**VIII. Communications**

Members agree that transparency is essential to all deliberations. In that regard:

- Advisory body members are required to notify City staff liaison of verbal and written communications on behalf of the Portland Freight Committee with elected officials, interest groups and all communications with media. Members are required to copy the City staff liaison on all written communications from/to elected officials and interest groups (other than a group specifically represented by a member) commenting on the Body's deliberations. These communications will be included in the public record as detailed below and copied to the Chair and/or full Body as appropriate. The City staff liaison will be copied on invitations to elected officials to attend PFC meetings.
- On rare occasions, some advisory bodies may ask or be asked to write position letters to external groups or governments in support or opposition of policy issues that are relevant to the purpose and scope of the Body. This is accomplished by first proposing the position to the Staff Liaison to the advisory body. The Staff Liaison and/or bureau leadership must work with PBOT's liaison to the Office of Government Relations if the external communication is with a regional, state, federal or tribal government according to PBOT procedures. This process is required in accordance with Administrative Rule 3.01, which establishes the Office of Government Relations as the central coordinating body for this external intergovernmental outreach.

### **IX. Public Meetings and Records**

Meetings of the full body and subcommittee meetings are open to the public and will be conducted under the provisions of Oregon Public Meetings Law (ORS 192.610-690). The Bureau liaison will provide notice to the public regarding the dates, times, and locations of all meetings:

- Regular meetings:
  - Best practices: at least one week,
  - Minimum requirement: at least 48 hours,
- Special meetings: at least 24 hours.

Per ORS 192.670(1), advisory body members can participate through telephonic conference calls. Requests for any other electronic communication means require approval from the Bureau liaison with City Attorney consultation. All records of the Body, including formal documents, discussion drafts, meeting summaries, and exhibits are public records. Communications among members related to the subject matter of this Body should not be treated as confidential and may be subject to public records requests. "Communications" refers to all statements and votes made during meetings, memoranda, work projects, records, documents, text messages, pictures, or materials developed to fulfill the charge, including electronic mail correspondence by and among the members. The personal notes of individual members taken at public meetings might be considered to be public record to the extent they "relate to the conduct of the public's business," (ORS 192.410(4)). Members are not allowed to deliberate towards a decision over e-mail, as public participation needs to be guaranteed through that process.

### **X. Amendment of Bylaws**

The Body may vote to recommend to the Elected-in-Charge amendment or repeal of these Bylaws. The Bureau may also recommend changes to the Elected-in-Charge. The Elected-in-Charge must sign off on original bylaws and any amendments to the bylaws. Members have no





## Fixing Our Streets Advisory Body

### I. Body created on May 11, 2016 by

- Portland City Code \_\_\_\_\_  
 Council Resolution \_\_\_\_\_  
 Council Ordinance No. 187743 \_\_\_\_\_  
 Bureau \_\_\_\_\_  
 Other \_\_\_\_\_

**A. Sponsor Bureau:** Portland Bureau of Transportation

**B. Bureau liaison/title:** Emily Tritsch, Asset Manager

### C. Advise to

- City Council  
 Elected-in-Charge<sup>1</sup> \_\_\_\_\_  
 Bureau Director  
 Designated bureau staff (title) \_\_\_\_\_

### D. Purpose

The Fixing Our Streets Oversight Committee provide advice and support to the Portland City Council. The committee's role is to:

1. Provide guidance to City Council on the effective use of new resources.
2. Monitor revenues, expenditures and program/project implementation for Fixing Our Streets program (referred to in City Ordinance No. 187743 as the Street Repair and Traffic Safety program).
3. Review program priorities, spending and any necessary revisions to project list/financial plans, including the annual program audit. May make recommendation to City council for project list revisions.
4. Monitor construction impacts to businesses, neighborhoods and residents.
5. Monitor utilization of minority-owned, women-owned and emerging small businesses to support community benefit.
6. Provide an annual report to City Council containing the above information.

<sup>1</sup> The term Elected-in-Charge refers to any of the five elected Commissioners (including the Mayor) plus the City Auditor.

## Member Responsibilities

Members of the FOS Oversight Committee agree to fulfill their responsibilities through attending and participating in meetings, studying available information and providing input to City Council. Members agree to participate in good faith and to act in the best interests of the group and its charge. *To this end, members agree to place the interests of the City above any particular political or organizations or other interests.*

Members are expected to consider a range of issues and options to address them, discuss the pros and cons of the issues/options presented and seek to develop recommendations reflecting “the sense of the group.”

Members acknowledge that the group is an advisory body to City Council and that its role is to provide advice and frame policy choices, but that decisions ultimately rest with City Council Commissioners.

Member responsibilities include:

- Review background materials and analysis to understand the issues to be addressed during committee meetings;
- Work collaboratively with one another, and staff, to explore issues and develop recommendations;
- If requested, attend public meetings and events to hear directly from the public; and
- Consider and integrate general public input into recommendations as appropriate.

## II. City Role

The Bureau will provide a staff person to assist with technical support, substantive expertise, logistical assistance, administrative assistance and advice to the Body. The Bureau will also provide public notice of all meetings, post materials to a webpage, and prepare meeting summaries that outline the issues discussed, the areas in which there is agreement, and any remaining issues on which agreement was not reached.

## III. Frequency of Meetings

The Body shall meet at least quarterly each calendar year and as otherwise necessary to conduct its business. Meetings shall be conducted in accordance with the operating procedures specified herein.

## IV. Membership and Term

Members of advisory bodies are public officials. They should become familiar with rules and responsibilities described at the “Oregon Government Ethics Law - A Guide for Public Officials” (Oregon Government Ethics Commission). As an advisory body to the Director, membership and terms are solely at the Director’s discretion. The membership is intended to represent a diversity of expertise, skill sets, background and viewpoints.

A. Total membership: 16 seats

**B. Terms**

- Staggered

**C. Term Limits**

1. Members may serve any number of terms not to exceed **four years of total consecutive service**. Completion of an unexpired term does not apply toward the eight-year cumulative.
2. At the completion of each term, regardless of term length, incumbents are required to complete notice of intent to continue to serve and discuss mutual benefits of continuing on the body with the designated bureau staff.
3. Members interested in continuing service beyond eight years must sit out for:
  - two years (if the body does not have set terms)
  - one term
 before reapplying to serve on the same advisory body.

Members may not have alternates and all serving members are selected and appointed to full terms. If there are vacancies, including if a position becomes vacated during a term, normal recruitment processes should follow. The process includes recruitment applications, vetting and selecting members, and appointment by the Elected-in-Charge (for types I and II bodies) or bureau director (for type III bodies).

**D. Quorum**

- Simple majority: 50% plus 1 or greater number of seats.

**E. Voting**

- Majority of seats per ORS 174.130. A quorum shall be necessary of voting members to make decisions that represent the position of the Body and to fulfill any other responsibilities. Proxy/Absentee voting is not allowed. The Chair or Facilitator may initiate or entertain a motion to vote on issues and requested decision points. A quorum of the body (50% plus 1) must be present to proceed with a formal voting process. Members may make motions and seconds. All motions must be seconded to be acted upon. A majority vote (50% plus 1 of members present) must be reached for a motion to be affirmed. Minority positions will be documented after a vote takes place. Those with minority opinions are responsible for proposing alternative solutions or approaches to resolve differences. Members will honor decisions made and avoid reopening issues once resolved.

**General Operating Procedures****A. Disclosure of Conflicts of Interest [or other connection]**

- A public official is required to make an announcement of the nature of a conflict of interest each time the issue giving rise to the conflict of interest is discussed or acted upon.



- The announcement needs to be made on each occasion when the public official is met with the conflict of interest, and the public official must disclose the nature of the conflict of interest.
- For example, an elected member of the City Council would have to make the public announcement one time when met with the conflict of interest, but only one time in each meeting of the City Council. If the matter giving rise to the conflict of interest is raised at another meeting, the disclosure must be made again at that meeting.
- Bureau liaison and/or staff are obligated to record and keep all conflicts of interest that are announced during each meeting.
- If it is found that a member did not disclose a conflict of interest, staff must alert the Bureau Director of the instance as soon as the incidence is known.
- Any potential or actual conflict of interest noted by staff will be included in the recommendation report provided to City Council or other final decision-making body.

**B. Meetings will be conducted to foster collaborative decision-making using either:**

- Robert's Rules of Order culminating in a majority vote;
- Consensus Decision Making (including Modified Consensus Decision Making). This still requires a quorum and a final vote.

**C. Protocols**

All participants agree to act in good faith in all aspects of these discussions. This includes being honest and refraining from undertaking any actions that will undermine or threaten this process. It also includes behavior outside of meetings.

Expectations include:

- Members should try to attend all meetings.
- Members agree to be respectful at all times of other members, staff, presenters and public attendees. They will listen to each other to seek to understand the other's perspective, even if they disagree.
- Members agree to make every effort to bring all aspects of their concerns about these issues into this process to be addressed.
- Members agree to refrain from personal attacks, intentionally undermining the process, and publicly criticizing or mis-stating the positions taken by any other participants during the process. Any written communications, including e-mails, blogs and other social networking media, will be mindful of these procedural ground rules and will maintain a respectful tone even highlighting different perspectives.
- Members are advised that email, blogs and other social networking media may be considered public documents. Emails and social networking messages meant for an entire group will be distributed via the facilitator, Director or Chair.
- Requests for information made outside of meetings should be directed to the facilitator or staff coordinator. Responses to such requests will be limited to items

that can be provided within a reasonable amount of time and are relevant to the scope and function of Fixing Our Streets Advisory Committee.

- Members will not interfere with the Chair and/or facilitator's conduct of meetings.

#### V. Removal of Members and Resignations

A. All members serve at the pleasure of the Elected in Charge and may be asked to resign or be removed at the Elected in Charge's discretion at any time unless authority (for instance, Code, statute, etc.) exists requiring a different process.

B. Any member who does not give notice that they intend to be absent from a scheduled meeting for more than 25 percent of the meetings in any 12 months of the service will be removed by the Bureau Director.

C. Process for removal

- For unexcused absences: Bureau liaison keeps attendance and informs Bureau Director of absences, who in turn informs the member in writing that they have been removed as a member of the Body.
- By Elected-in-Charge: Elected informs the member in writing that they have been removed as a member of the Body.

D. Resignation process

Members are expected to make a good faith effort to complete their term. In cases where this is not possible, members are expected to provide notice to the City staff liaison in writing (preferred) or verbally. Members are encouraged to complete the Resignation Form and submit to City staff liaison.

#### VI. Officers and Subcommittees (optional)

The officers of the Body may consist of

- Chairperson (Chair)**
- Vice-chairperson(s) (Vice- Chair)**
- coordinating committee (or similar)

and will act as designated leadership appointed by:

- Bureau Director.**

The designated leadership (Chair and a Vice Chair) shall be responsible for conducting the meetings and will be active and voting members of the advisory body. The Director or Bureau liaison may serve as designated leadership in the absence of this/these officer(s), but shall not have a vote on any matters.

The designated leadership will encourage full and safe participation by representatives in all aspects of the process, assist in the process of building consensus, and ensure all participants abide by the Body's operating procedures. The Chair will also serve as liaison between the members of the Body and the City. In consultation with the Facilitator (if there is one) and Bureau liaison, the designated leadership will develop meeting agendas, establish subcommittees

if needed, and ensure an efficient advisory process.

The Body may divide its members into subcommittees authorized to act on behalf of the full Body for an assigned purpose.

Subcommittee meetings are also subject to Oregon Public Meetings Law and must abide by quorum requirements when voting. While subcommittees may engage non-members, only members may vote to approve reports and recommendations to be forwarded to the full Body. When voting, the quorum for subcommittee members is the simple majority of the subcommittee (50% plus 1 or greater number of seats).

### **VII. Facilitator Role (optional)**

The Portland Bureau of Transportation may utilize staff or contract with an independent and neutral third party whose role is to facilitate meetings, help develop recommendations, and produce approved reports. The Facilitator will not act as an advocate on any issue, any interest group, or any member of the Body.

When engaged, the facilitator will facilitate meetings and provide coordination between meetings. The facilitator will serve as liaison among members and between the group, staff coordinator and the Director; in that role, the facilitator will be responsible for communications with and within the group. Information disclosed in confidence will be kept confidential by the facilitator. To the extent issues arise with the process, group members are encouraged to approach the facilitator and/or Chair.

Specific facilitator's' responsibilities are determined by the needs of the Bureau and advisory board, but may include:

- Ensure a welcoming meeting environment where all members can participate.
- Ensure a safe environment for minority opinions.
- Conduct meetings in a manner to foster collaborative decision-making and consensus building.
- Members will not interfere with the Chair and/or facilitator's conduct of meetings. Concerns regarding how meetings are being facilitated may be brought to the attention of the Chair and the facilitator in manners and at times that they do not disrupt meeting activities, e.g during breaks in meetings or in between meetings.

### **VIII. Communications**

Members agree that transparency is essential to all deliberations. In that regard:

- Advisory body members are required to notify City staff liaison of verbal communications with interest groups and all communications with media. Members are required to copy the City staff liaison and, when appropriate, the Facilitator on all written communications from/to interest groups (other than a group specifically represented by a member) commenting on the Body's deliberations. These communications will be included in the public record as detailed below and copied to the Chair and/or full Body as appropriate.

- Members agree to raise all concerns, especially those being raised for the first time, at group meetings and not in or through the media.
- Members agree to not negotiate through the media, or to use the media to undermine the work of the group.
- On rare occasions, some advisory bodies may ask or be asked to write position letters to external groups or governments in support or opposition of policy issues that are relevant to the purpose and scope of the Body. This is accomplished by first proposing the position to the Staff Liaison to the advisory body. The Staff Liaison and/or bureau leadership must work with PBOT's liaison to the Office of Government Relations if the external communication is with a regional, state, federal or tribal government according to PBOT procedures. This process is required in accordance with Administrative Rule 3.01, which establishes the Office of Government Relations as the central coordinating body for this external intergovernmental outreach.

### **IX. Public Meetings and Records**

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Per ORS 192.670 (1), advisory body members can participate through telephonic conference calls. Requests for any other electronic communication means require approval from the Bureau liaison with City Attorney consultation. All records of the Body, including formal documents, discussion drafts, meeting summaries and exhibits are public records. Communications among members related to the subject matter of this Body should not be treated as confidential and may be subject to public records requests. "Communications" refer to all statements and votes made during meetings, memoranda, work projects, records, documents, text messages, pictures or materials developed to fulfill the charge, including electronic mail correspondence by and among the members. The personal notes of individual members taken at public meetings might be considered to be public record to the extent they "relate to the conduct of the public's business," as (ORS 192.410 (4)). Members are not allowed to deliberate towards a decision over email, as public participation needs to be guaranteed through that process.

### **X. Amendment of Bylaws**

The Body may vote to recommend to the Elected-in-Charge amendment or repeal of these Bylaws. The Bureau may also recommend changes to the Elected-in-Charge. The Elected-in-Charge must sign off on original bylaws and any amendments to the bylaws. Members have no authority to amend bylaws without approval.

Original Bylaws Created by: Matt Grumm, PBOT Staff Liaison on July 30, 2019

Approved by: \_\_\_\_\_, on \_\_\_\_\_.  
(name/title) (date)  
*[Signature]* 2/24/20  
(Elected/Bureau Director) (date approved)

Amended: \_\_\_\_\_, on \_\_\_\_\_.  
(name, title) (date amended)

Approved by: \_\_\_\_\_, on \_\_\_\_\_.  
(Elected/Bureau Director) (date approved)

Amended: \_\_\_\_\_, on \_\_\_\_\_.  
(name, title) (date amended)

Approved by: \_\_\_\_\_, on \_\_\_\_\_.  
(Elected/Bureau Director) (date approved)