BYLAWS OF THE
PORTLAND CHILDREN'S LEVY ALLOCATION COMMITTEE

Portland Children's Levy Allocation Committee ("Body")

I. Body created on *January 30, 2018* **, by**

- ☐ Portland City Code _____
- x Council Resolution 37343
- ☐ Council Ordinance _____
- ☐ Bureau_____; by whom _____
- ☐ Other _____

A. Purpose

The purpose of the Body is to allocate funding generated by the Portland Children's Levy in accordance with the ballot measure passed by the voters of the City of Portland, and the resolution passed by the Portland City Council. The Allocation Committee makes funding recommendations to Portland City Council for its final approval. The Body is required to exist for the duration of the current Children's Levy (July 1, 2019 – June 30, 2024). City Council resolution 37343 is attached to these bylaws and includes the ballot measure language.

B. Sponsor Bureau: Portland Children's Levy

C. Staff/Bureau liaison title: Lisa Pellegrino, Director

D. Advise to

- x City Council
- ☐ Elected-in-Charge[1]_____
- x 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

[1] The term Elected-in-Charge refers to any of the five elected Commissioners (including the Mayor) plus the City Auditor.

reached.

III. Frequency of Meetings

The Body shall meet at least three times per 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 must 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: 5 seats, each of which serve 2-year terms.

B. Terms (select one)

- x 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 liaison.

3. Members interested in continuing service beyond eight years must sit out for (select one)
   - □ two years (if the body does not have set terms)
   - x one term of 2 years

   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 bodies advising Council) or bureau director (for bodies advising a bureau program or bureau director).

D. Quorum (select one)

- x Simple majority: 50% plus 1 or greater number of seats
- □ A specific number____, per the authority of ___[must name other law] (Typically these are laws higher than the state, such as federal. This option is extremely rare)

Advisory bodies 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.

E. Voting (select one)

x Majority of seats per ORS 174.130

□ Majority of quorum present per the authority of_____[must name other law] (Typically these are laws higher than the state, such as federal. This option is extremely rare)

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.

Advisory bodies 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 option still requires a quorum and a final vote. For example, if there are no vetoes, all voting members' names are listed as "yay", and abstentions are also noted.

VI. Removal of Members and Resignations

A. All members appointed by the Mayor 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. Members appointed by the Multnomah County Chairman and Board of Commissioners serve at the pleasure of the Multnomah County Chairman and may be asked to resign or be removed at their discretion.

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 Director 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 positions in sequential presiding order.

x Chairperson (Chair)
□ Vice-chairperson(s) (Vice-Chair)
□ Coordinating committee (or similar)
□ Other _____

and will act as designated leadership appointed by:

x Elected-in-Charge.
□ Bureau Director.
□ Majority vote of members or consensus decision-making.
□ Other _____

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 staff 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
x 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 staff 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.

For advisory bodies who advise Council, 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. Communications

A. 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 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.

B. 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, in partnership with bureau leadership must approve the position before the letter has been drafted. The Staff Liaison and/or bureau leadership must work with the Office of Government Relations if the external communication is with a state, federal or tribal government. 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 (or the Bureau Director). The Elected-in-Charge (or the Bureau Director) 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: Lisa Pellegrino, Director, on October 8, 2019.
(name/title) (date)

Approved by: _____, on 1/6/2020.
(Ted Wheeler, Mayor) (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)