



Multnomah County Charter Review Committee Bylaws DRAFT

The Charter Review Committee (CRC) Finds:

- A. In accordance with Multnomah Home Rule County Charter section 12.30, “There shall be convened a charter review committee for the purpose of making a comprehensive study of the Multnomah County Home Rule Charter and, if the committee chooses, submitting to the people of Multnomah County amendments to the charter.”
- B. Multnomah County Home Rule Charter Section 12.40(1) provides that the charter review committee “shall choose their chairperson from among themselves and shall have authority to establish their own procedures and organization.”
- C. These bylaws are effective upon passage for CRC meetings and CRC subcommittee meetings.

The Charter Review Committee (CRC) Adopts:

Charter Review Committee Bylaws and Subcommittee Bylaws

Article I. Name and Purpose

1. **Name.** The official name of the committee shall be the “Multnomah County Charter Review Committee” and shall also be referred to as the “CRC”.
2. **Purpose.** The purpose of the CRC is to perform a comprehensive study of the Multnomah County Home Rule Charter (“Charter”) and, if the CRC chooses, submit recommended Charter amendments to the people of Multnomah County on the May 2022 ballot, November 2022 ballot, or both.
3. **Powers and Duties.** The CRC has all of the powers and duties established for it by the Multnomah County Charter, including:
 - a. Establish the CRC’s rules of procedure and organization.
 - b. Elect at least one chairperson.
 - c. Review the Charter and any issues relating to it.
 - d. Study the Charter by all appropriate means, including open hearings and meetings, the taking of testimony, and interviewing witnesses.
 - e. Review Charter section 4.30 process for adjusting compensation for commissioners.
 - f. Report to the people and to the Board of County Commissioners their findings, conclusions, and recommendations including any amendments they propose to the Charter at least 95 days prior to the 2022 primary or general election, or both.

Article II. Membership

1. **Appointment.** Members shall be appointed to the CRC in accordance with section 12.40 of the Multnomah County Charter. There are no alternate members or members appointed after the CRC convenes.

2. **Terms.** Members' terms begin August 15, 2021 and conclude August 4, 2022 or when the CRC's final report is presented to the Board of County Commissioners, whichever occurs first.
3. **Vacancies.** Vacancies occur when a member of the CRC resigns in writing; ceases to be a resident of Multnomah County; fails to attend three consecutive regular meetings of the CRC without prior approval by a Co-Chair; or dies or becomes incapacitated.
4. **Censure.** Any committee member who fails to disclose an actual or potential conflict of interest, as defined in and in accordance with the requirements of ORS 244 and Multnomah County Personnel Rule 3-30, or who receives three or more written warnings from a Co-Chair that the committee member has violated the CRC's bylaws and/or group agreements may be removed from their position on the CRC by a vote of censure approved by two-thirds of the CRC's members.
5. **Removal.** A committee member who has failed to attend three consecutive regular meetings of the CRC without prior notification to a Co-Chair or been removed by a vote of censure will be informed of their removal from the CRC in writing by the Co-Chairs.

Article III: General Meeting Operations

1. **Frequency of Meetings.** The CRC shall meet at least once a month until it completes its Charter review and final report or until August 4, 2022, whichever occurs first.
2. **Meeting Location.** The CRC shall hold its meetings in accordance with the County's public health guidelines. When public health guidelines allow, the CRC may choose to meet in person, but members shall retain the option to participate remotely.
3. **Inclusive Environment.** The CRC shall establish a group agreement to facilitate a working environment that is respectful, inclusive, and welcoming.
4. **Facilitating Participation.** The Office of Community Involvement supports the CRC and has agreed to make all reasonable efforts to eliminate barriers to CRC members' participation in meetings. This includes, but is not limited to:
 - a. Scheduling meetings around members' schedules to maximize attendance
 - b. Providing technology for participation in virtual meetings
 - c. Managing the distribution of stipends
 - d. Addressing any other accessibility needs

Article IV: Voting

1. **Quorum.** A simple majority (50% + 1) of members must be present to conduct business. Notwithstanding a lack of quorum, the CRC may act to continue a hearing or matter to a time and date certain for consideration by a quorum.
2. **Voting.** The CRC will use modified consensus decision making to determine all decisions and recommendations. If consensus cannot be reached, there will be a roll call vote and a simple majority (50% + 1) of those present will prevail. Abstentions are permitted. Only members of the CRC may vote.
3. **Verbal Voting.** CRC members must express their formal votes verbally for the record.
4. **Absentee Voting.** Absentee voting is not permitted.
5. **Proxy Voting.** Proxy voting is not permitted.

Article V: Roles of Officers and Support Staff

Commented [KO1]: Other examples of potential vote thresholds: 50%+1 of total number of committee members; 2/3 of those present (or total committee members); consensus; unanimous vote.

Commented [KO2]: Depending on what kind of decision-making process the committee decides on, it may be advisable to include a more detailed description of how the decision-making process unfolds. That includes what the committee will do if consensus can't be reached.

The committee will discuss its decision-making processes in details during your November meeting. Allison and I will provide some additional information on decision-making structures ahead of that meeting.

Commented [KO3]: Other examples of potential vote thresholds: 50%+1 of total number of committee members; 2/3 of those present (or total committee members); consensus; unanimous vote.

1. **Co-Chairs.** The CRC shall elect two co-chairs from its membership using modified consensus.

The co-chairs' responsibilities include:

- a. Collaborating with facilitator and county staff on meeting agendas
- b. Supporting the facilitator in leading discussion, keeping the group on track and on time
- c. Providing leadership and support to committee members if disagreements arise or group agreements are violated
- d. Providing feedback to staff on how to improve the CRC's processes, meetings, and committee members' engagement
- e. Participating in committee discussions as full committee members
- f. Acting as spokespeople for the CRC
- g. Keeping order and imposing reasonable restrictions necessary for the efficient and orderly conduct of a meeting
- h. Leading the formal voting process on CRC issues
- i. Presenting the CRC's summary of findings to the County Board of Commissioners

Commented [K04]: As a committee, it may be useful to decide what being a spokesperson entails and if there are expectations or limitations you want to outline for the co-chairs in this role.

Commented [K05]: This duty may be dependent on how the committee decides its voting procedures will work.

2. **Facilitator.** A facilitator will guide the CRC's process in general committee meetings. The facilitator will not advocate for any issue, interest group, or committee member. The facilitator's responsibilities include:

- a. Collaborating with co-chairs and county staff on meeting agendas
- b. Drafting meeting agendas and compiling meeting materials in partnership with county staff
- c. Fostering a safe and welcoming environment for the CRC
- d. Keeping the committee on track with agreed upon topics/time
- e. Encouraging and supporting the active participation and input of all committee members
- f. Assisting the committee in finding process solutions that meet all participants' needs
- g. Providing meeting summaries that outline what was discussed, areas of agreement and topics for ongoing discussion

3. **Charter Review Committee Program Coordinator and Office of Community**

Involvement. The primary liaison between the Office of Community Involvement and the CRC will be the Charter Review Committee Program Coordinator. The program coordinator is available for:

- a. Collaborating with facilitator and CRC co-chairs on meeting agendas
- b. Providing technical and logistical support for all meetings
- c. Managing internal and external communication
- d. Providing public notice and keeping minutes
- e. Managing the public comment process outside of meetings
- f. Making meeting records public on the CRC's website
- g. Providing advice and information at the request of the CRC
- h. Checking in regularly with individual CRC members to facilitate their full engagement in the committee's process
- i. Facilitating subcommittee meetings

4. **County Attorney's Office.** A representative from the County Attorney's Office has agreed to attend general CRC meetings and subcommittee meetings as needed to provide legal consultation. The County Attorney's Office is available for:

- a. Providing legal guidance to the CRC
- b. Drafting amendments to the Charter based on the CRC's proposals
- c. Drafting ballot titles and explanatory statements based on the CRC's proposed amendments

Article VI. Subcommittees.

1. **Establishing Subcommittees.** The CRC may establish subcommittees to study designated topics in or related to the charter. Subcommittees will periodically report their findings and recommendations to the general committee for discussion and votes.
2. **Subcommittee Quorum.** The CRC will establish membership of each subcommittee and a simple majority (50% + 1) of the subcommittee must be present to conduct business.
3. **Voting.** Subcommittees shall follow the same voting procedures as the general committee.
4. **Subcommittee Chair or Co-Chairs.** Members of each subcommittee will select a chair or co-chairs to collaborate with county staff on that subcommittee's meeting agendas and to draft a report on that subcommittee's work that can be integrated into the CRC's final report.

Commented [KO6]: As a committee, you can decide if you want the charge to subcommittees to be more general or specific in the bylaws. You can also decide if you want to explicitly require subcommittees to report their progress at every general meeting.

Commented [KO7]: This will likely be the same as the quorum you set for the general committee, but it doesn't have to be.

Commented [KO8]: I suggest designating 1-2 people in each subcommittee to be responsible for contributing to the CRC's final report, so that the work of each subcommittee is fully captured. Those could be the co-chairs or someone else.

Article VII: Public Participation and Invited Testimony

1. **Public Meetings.** All CRC general and subcommittee meetings are open and accessible to the public. Notice of upcoming meetings will be provided at least 7 days in advance of regular meetings and at least 24 hours in advance of any special sessions.
2. **Public Comment.** The CRC values public input on its study of the charter and recommendations for amendments. The public shall be able to provide comment in writing and in person/virtually at the times designated in the CRC's agenda.
 - a. The CRC Co-Chairs shall have the power to set equitable time limits on public comment.
 - b. Any person who fails to comply with reasonable rules of conduct or who creates a disturbance may be asked to leave and upon failure to do so becomes a trespasser, per Executive Rule No. 0374, Delegation of Exclusion Authority.
3. **Invited Testimony.** The CRC or its subcommittees may invite individuals or groups to general or subcommittee meetings to provide testimony and answer members' questions about topics being studied.
4. **Individual Committee Member Engagement.** Committee members are encouraged to engage with their own community networks outside of public meetings. When possible, committee members should encourage interested community members to share their ideas and opinions through the public comment process. Information obtained from interest groups or individuals representing interest groups should generally be noted and brought back to the full committee or relevant subcommittee for discussion.
5. **Subcommittee Engagement.** Subcommittees may receive public comment and invited testimony at their meetings.

Commented [KO9]: The committee needs to decide how it wants to take public comment. Some possibilities include designating a significant portion of general meetings to public comment; encouraging public comment in relevant subcommittees; holding separate listening sessions specifically for public comment; placing greater emphasis on written comment versus oral comment

Commented [KO10]: To build trust within the committee and with the public, the committee should consider the best approach to transparency in who they are speaking with and where ideas are coming from. This is a possible articulation of that, but in deciding a final policy, I recommend considering this both from the perspective of sharing information about your own conversations/influences, as well as what you would like to know about other committee members'.

Article XIII: Amendments to the Bylaws

1. **Amendment Procedure.** The CRC may amend its bylaws. To do so, committee members must be informed of proposed amendments in writing at least 7 days prior to the vote. An amendment is approved when a simple majority (50% + 1) of those present votes in favor.

Commented [KO11]: Consider how easy/fast you would like it to be to amend the group's bylaws. That will guide the conditions you set on amendments; for instance, it's common to require a higher threshold of votes (often 2/3) to amend bylaws.