



Multnomah County Charter Review Committee Bylaws DRAFT

The Charter Review Committee (MCCRC) 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 MCCRC meetings and MCCRC subcommittee meetings.

The Charter Review Committee (MCCRC) 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 “MCCRC”.
2. **Purpose.** The purpose of the MCCRC is to perform a comprehensive study of the Multnomah County Home Rule Charter (“Charter”) and, if the MCCRC 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 MCCRC has all of the powers and duties established for it by the Multnomah County Charter, including:
 - a. Establish the MCCRC’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 MCCRC in accordance with section 12.40 of the Multnomah County Charter. There are no alternate members or members appointed after the MCCRC convenes.

2. **Terms.** Members' terms begin August 15, 2021 and conclude August 4, 2022 or when the MCCRC's final report is presented to the Board of County Commissioners, whichever occurs first.
3. **Vacancies.** Vacancies occur when a member of the MCCRC resigns in writing; ceases to be a resident of Multnomah County; fails to attend three consecutive regular meetings of the MCCRC without prior ~~approval by~~ notification to ~~a Co-Chair~~ the program coordinator; 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 MCCRC's bylaws and/or group agreements may be removed from their position on the MCCRC by a vote of censure approved by two-thirds of the MCCRC's members.
5. **Removal.** A committee member who has failed to attend three consecutive regular meetings of the MCCRC without prior notification to ~~a Co-Chair~~ the program coordinator or been removed by a vote of censure will be informed of their removal from the MCCRC in writing by the Co-Chairs.

Article III: General Meeting Operations

1. **Frequency of Meetings.** The MCCRC 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 MCCRC shall hold its meetings in accordance with the County's public health guidelines. When public health guidelines allow, the MCCRC may choose to meet in person, but members shall retain the option to participate remotely.
3. **Inclusive Environment.** The MCCRC 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 MCCRC and has agreed to make all reasonable efforts to eliminate barriers to MCCRC 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 MCCRC may act to continue a hearing or matter to a time and date certain for consideration by a quorum.
2. **Voting.** The MCCRC will use a ~~modified~~ consensus decision making ~~process to determine~~ deliberate all decisions and recommendations. If consensus cannot be reached, there will be a roll call vote and ~~a simple majority (50% + 1)~~ a motion prevails if it receives support from 2/3 or more of those present will prevail. Abstentions are permitted. Abstainers count toward quorum requirements, but are not "present" in counting toward the voting threshold. Only members of the MCCRC may vote.

Commented [KO1]: This is something we will specifically address in our Dec. 15th meeting. There is no mechanism for replacing a committee member, so the sole purpose for formally removing a member based on absences is that it will lower the committee's quorum to make it easier to conduct business. If a member is not attending meetings and not engaged enough to communicate their inability to attend, the committee may believe that removing that member is important in allowing it to move ahead with its work. The language as it is currently written has removal happen automatically after three missed general meetings in a row without notification.

I did change the language from "approval" to "notification" because there can be a lot of issues around equity and fairness when someone is assigned to judge what is a "good" reason for missing a meeting and what a "bad" one is.

MCCRC members have expressed strong commitment to this work so I do not think that this type of removal is likely to be exercised. It's a way to make expectations clear and to put in place a method for removal just in case. The bylaws can also be amended if this does not end up serving the committee's purpose.

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3. **Verbal Voting.** MCCRC 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

1. **Co-Chairs.** The MCCRC 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~~ Collaborating with 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. Participating in committee discussions as full committee members
 - e. Acting as spokesperson for the MCCRC
 - f. Keeping order and imposing reasonable restrictions necessary for the efficient and orderly conduct of a meeting
 - g. Leading the formal voting process on MCCRC issues
 - h. ~~Presenting the MCCRC's summary of findings to the County Board of Commissioners~~ Leading the development of the MCCRC's final report and its presentation to the Board of Commissioners
2. **Facilitator.** A facilitator will guide the MCCRC'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 MCCRC
 - 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 MCCRC will be the Charter Review Committee Program Coordinator. The program coordinator is available for:
 - a. Collaborating with facilitator and MCCRC 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 MCCRC's website
 - g. Providing advice and information at the request of the MCCRC

Commented [KO2]: Co-chairs have the responsibility of making sure these final products are produced, but do not have to be the primary authors of the report or the presenters if the committee decides otherwise

- h. Checking in regularly with individual MCCRC 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 MCCRC meetings and subcommittee meetings as needed to provide legal consultation. The County Attorney's Office is available for:
- a. Providing legal guidance to the MCCRC
 - b. Drafting amendments to the Charter based on the MCCRC's proposals
 - c. Drafting ballot titles and explanatory statements based on the MCCRC's proposed amendments

Article VI. Subcommittees.

1. **Establishing Subcommittees.** The MCCRC 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 MCCRC 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 coordinate the drafting of a report on that subcommittee's work that can be integrated into the MCCRC's final report.

Article VII: Public Participation and Invited Testimony

1. **Public Meetings.** All MCCRC 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 MCCRC 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 MCCRC's agenda.
 - a. The MCCRC 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 MCCRC 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.

Article XIII: Amendments to the Bylaws

1. **Amendment Procedure.** The MCCRC 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)~~ 2/3 or more of those present votes in favor.