

BEFORE THE PLANNING COMMISSION FOR MULTNOMAH
COUNTY, OREGON

RESOLUTION NO. PC-~~2011-1403~~ 202X-000X

Adopting Rules of Order for Planning Commission Meetings and Repealing Prior Rules

The Planning Commission Finds:

- a. Pursuant to the Multnomah County Code, the Planning Commission (Commission) is required to adopt and file with the Planning Director rules of order for Commission meetings.
- b. The Commission last adopted rules ~~at a time when the Commission's mission was very different from the Commission's present duties and responsibilities in 2011 as an update to outdated rules. Now there is a need to update the rules in recognition of changes to state public meetings law and the shift to both virtual only and hybrid in-person/virtual Commission meetings.~~ Accordingly, rules previously adopted by the Commission must be repealed and replaced in their entirety.
- c. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56 notice").
- d. Notice of the Commission hearing on this matter was published in the Oregonian newspaper and on the Land Use Planning Program ~~internet pages website~~. The Commission held a public hearing on ~~February 6, 2012 X date, 202X~~, where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves:

SECTION 1. ADOPTION

- A. These Rules of Order (Rules) take effect ~~immediately upon~~ fifteen (15) days after adoption by the Commission. The effective date of these Rules is ~~February 6, 2012 X Date, 202X~~.
- B. All rules previously adopted by the Commission are repealed on X Date, 202X.

SECTION 2. ORGANIZATION

- A. The Chair presides at Commission meetings and has a vote on each matter before the Commission. The presiding officer may not make or second motions unless the position is first relinquished for that purpose.
- B. The Vice-Chair presides when the Chair is absent.
- C. The Second Vice-Chair, if any, presides when both the Chair and the Vice-Chair are absent.
- D. In the absence of the Chair, Vice-Chair and Second Vice-Chair, the Commissioner with the most seniority in office will act as presiding officer.
- E. The presiding officer will sign all documents approved at the Commission meeting.

SECTION 3. MINUTES

A. The Planning Director shall make a ~~verbatim audio record~~ either a digital recording or written minutes of all Commission meetings or both.

~~B. In addition to the verbatim audio record, the Planning Director may prepare a written record constituting the minutes of all Commission meetings.~~

C. The audio record ~~digital recording and or~~ minutes will be ~~accessible to the public during regular office hours, made available to the public on the Commission's website or through the Land Use Planning Office during regular business hours and in accordance with state law.~~

SECTION 4. MEETINGS

A. All Commission meetings are open to the public, except executive sessions.

B. All Commission meetings are held virtually or as hybrid virtual/in-person meetings in the Boardroom of the Multnomah County Board of Commissioners ~~and or in~~ other locations accessible to the public as noted on the agenda.

C. The Commission meets to conduct Commission business on a regular basis on the first Monday of a given month excluding holidays, unless otherwise scheduled.

D. The Planning Director shall cancel a regular meeting for lack of agenda items.

E. The Commission may continue any meeting to another time or to another location accessible to the public.

F. The Commission may meet in executive session in accordance with state law. At the beginning of each executive session, the statutory authority for the meeting must be stated. The Commission will require that representatives of the news media and all other attendees are specifically directed not to disclose specified information that is the subject of the executive session.

SECTION 5. NOTICE AND AGENDA

A. The Planning Director shall maintain an interested person Commission meeting notice list. The list will include the names and addresses of interested persons including news media that have requested notice of Commission meetings. The Planning Director shall give notice stating the time and place of Commission meetings and the agenda to persons on the list, and post the notice to the Commission's ~~internet web site~~ website. Agenda packet materials will also be posted to the web site.

B. The Planning Director will supervise preparation of the agenda and may adopt policies, practices, guidelines or rules for placement of matters on the agenda. The agenda shall be prepared so as to give reasonable notice of the principal subjects anticipated to be considered, but this requirement shall not limit the ability of the Commission to consider additional subjects.

C. Any matter hearing placed on a Commission agenda may be withdrawn or postponed no later than 10 days before the start of the meeting by the proponent of the matter or by staff. If postponement of a matter occurs less than 10 days prior to a meeting, the Commission must decide to continue the matter to another date or postpone it indefinitely.

D. Agenda items may be taken out of order at the discretion of the presiding officer.

SECTION 6. ATTENDANCE

Commissioners shall provide ~~written or~~ electronic mail or telephone notification of all anticipated absences from Commission meetings to ~~each other and~~ the Planning Director or the Planning Director's designee. The Planning Director or designee shall notify the presiding officer prior to the start of the Commission meeting.

E. A Commissioner who cannot be physically present at a meeting may attend and participate virtually when technical resources allow.

SECTION 7. JURISDICTION

The Commission may act on a matter before the Commission only when jurisdiction for such action is granted to the Commission by Multnomah County Ordinance or Resolution. The Commission's jurisdiction over a matter on the agenda is presumed.

Before proceeding on a matter before the Commission, the Commission shall resolve any challenge to the Commission's jurisdiction that is raised prior to the vote on that matter. The Commission shall order termination of any matter before the Commission for which the Commission lacks jurisdiction.

SECTION 8. VOTING

~~A. A Commissioner who cannot be physically present at a meeting may attend and participate by telephone when technical resources allow. Except for executive sessions, participation by telephone will be audible to members of the public attending the meeting.~~

B. The presiding officer may employ any efficient manner of calling matters heard by the Commission. Generally, the presiding officer will call matters as follows: Opening Presentation by staff or proponent of the matter; Testimony; Deliberation; Motion (and second) to take certain action; and Vote. All matters requiring a hearing must conclude with a vote or be carried over indefinitely or to a certain date.

C. After the call for the vote, no further discussion is permitted unless the presiding officer suspends the call for the vote to allow further discussion.

D. Each commissioner must vote 'yes' or 'no,' except for a commissioner that abstains from participating in the matter or is excused from participating for a conflict of interest.

E. Commissioners will vote orally or by raising a virtual hand online. A roll call vote will be conducted if requested by any Commissioner. The presiding officer will announce the results of each vote, and the vote of each Commissioner will be recorded.

F. Motions and amendments to motions fail if there is a tie vote.

SECTION 9. PUBLIC TESTIMONY

A. The presiding officer may regulate the length of public participation and limit appearances to presentations of relevant points. Testimony will be accepted during work sessions at the presiding officer's discretion.

B. To assist persons wishing to testify at Commission meetings, the Planning Director shall make public sign-up sheets available or, for virtual attendees, registration via electronic means. Persons will be called to testify in the order they are registered with the Planning Director, unless otherwise recognized by the presiding officer.

Persons wishing to testify will be provided the opportunity to submit oral testimony in-person or by telephone, video, or other electronic or virtual means.

C. No person shall testify without receiving recognition from the presiding officer and stating ~~his or her~~ their full name and residence address.

D. Written testimony, exhibits or other documentation relating to a matter before the Commission may be submitted to the Planning Director prior to or at the public hearing on the matter. If in-person written testimony is allowed, written testimony by electronic mail or other electronic means will also be allowed. ~~Documentation will be entered into the record on a matter only if identified, with exhibit numbers or otherwise, for future reference by the Planning Director. The proponent of documentation sought to be entered into the record bears the burden of ensuring that the document has been identified for future reference by the Planning Director.~~

E. The presiding officer has authority to keep order and impose reasonable restrictions necessary for the efficient and orderly conduct of a meeting. Any person who fails to comply with reasonable rules of conduct or who creates a disturbance may be asked or required to leave or removed from an online meeting. ~~and upon failure to do so~~ A person failing to leave when asked becomes a trespasser.

SECTION 10. DECISIONS

In the event that the Commission's action on a matter differs from the written proposal before the Commission, the Planning Director shall prepare a written order, resolution or other decision documentation consistent with the Commission's action for signing by the officer that presided over the matter within a reasonable period of time.

SECTION 11. AMENDMENT AND SUSPENSION

A. Any of these Rules not required by law, Ordinance or the Charter of Multnomah County may be amended, suspended or repealed at any hearing by the Planning Commission as appropriate.

B. As appropriate, a rule of order may be adopted by the Planning Commission at any hearing to regulate a situation not regulated by law, Ordinance, rule or the Charter of Multnomah County.

C. If any provision of these Rules is for any reason held invalid or unconstitutional by a tribunal of competent jurisdiction, that holding shall not invalidate the remainder of these Rules, but shall be confined to the provision held invalid or unconstitutional.

SECTION 12. RELATIONSHIP WITH COUNTY ORDINANCES

A. These Rules are intended to conform to the provisions of the Multnomah County Code (MCC). Terms which are used herein shall have the same meaning as they have in the MCC unless the context requires otherwise.

B. In the event of conflict between any provision of these Rules and a provision of the MCC, the provision of the MCC shall control.

SECTION 13. MISCELLANEOUS

A. Any procedure or situation not covered by law or these Rules is governed by the most recent edition of "Robert's Rules of Order Newly Revised."

B. The Planning Director shall distribute a copy of these Rules to each Commissioner and shall make a copy available ~~at all Commission meetings~~ on the Commission's webpage.

C. Except as otherwise provided at law, failure to comply with these Rules is not a jurisdictional defect and does not invalidate any action by the Commission.

ADOPTED this Xth day of Month, 202X.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

First Last, Chair

REVIEWED:

JENNY M. MADKOUR, COUNTY ATTORNEY FOR
MULTNOMAH COUNTY, OREGON

June Bradley, Assistant County Attorney

SUBMITTED BY:
June Bradley, Assistant County Attorney