

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 99-74

Adopting Rules for Board Meetings and Repealing Prior Rules.

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County Home Rule Charter section 3.50 contains requirements for Board meetings, and subsection (1) requires the Board to adopt and publish rules for the conduct of its meetings.
- b. All Board meetings must comply with the Oregon Public Meetings Law.
- c. Resolutions 95-55 and 97-65 adopted the current Board rules that now need revision.

The Multnomah County Board of Commissioners Resolves:

SECTION 1. ORGANIZATION.

- A. The Chair presides at Board meetings and has a vote on each matter before the Board. 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. In the absence of both the Chair and Vice-Chair, the Commissioner with the most seniority in office will act as presiding officer.
- D. The presiding officer will sign all documents approved at the Board meeting.

SECTION 2. APPOINTMENT OF VICE-CHAIR

- A. At the first regular meeting of each calendar year, the Board will appoint a Vice-Chair. Appointments will be made in rotation by Commission District number. A

Commissioner may refuse the position, and then the Commissioner in the next numbered district will be appointed.

B. If there is a vacancy in the Vice-Chair position, the Board will appoint a Vice-Chair from the next numerical Commissioner District at the first regular meeting following the vacancy.

SECTION 3. MINUTES

A. The Board Clerk will make a record of all Board meetings.

B. The written record will comply with the Oregon Public Meetings Law. The records will be accessible to the public during regular office hours.

SECTION 4. MEETINGS

A. REGULAR MEETINGS

(1) All meetings are open to the public, except executive sessions.

(2) All Board meetings are held in the Commissioners' Boardroom and other locations accessible to the public as noted on the agenda.

(3) The Board meets each Thursday to deliberate on County business and make decisions.

(4) The Board meets on the first and third Tuesday of the month and other days as necessary for work sessions, staff briefings and to consider land use matters. The Chair may cancel Board work sessions or briefings or combine them with regular or special meetings.

(5) When it is in the public interest, the Board by majority vote at any meeting may adjourn to another time or to another location accessible to the public.

B. SPECIAL MEETINGS

(1) The Chair or three other Board members may call special meetings. The special meeting notice must include an agenda of items for consideration. The notice must be delivered personally to each Commissioner or the Commissioner's office or residence at least 24 hours before the meeting.

(2) Board action at a special meeting, except adoption of an emergency ordinance, does not take effect unless ratified at the next regular meeting.

C. EXECUTIVE SESSIONS

(1) The Board 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.

(2) The Board may require that news media representatives not disclose specified information that is the subject of the executive session.

D. LAND USE APPEAL HEARINGS

(1) When an appealed decision is reported to the Board, the Board will set a date and time for the appeal hearing as required by state law.

(2) The scope of review of each appeal will be de novo. The complete Hearings Officer record will be made available to the Board before the appeal hearing, and will be available at the hearing itself. The parties may introduce new evidence relevant to the case during the hearing

(3) After statements by County staff and the Hearings Officer, each party has twenty minutes to present its case. The appellant will make the first presentation and may reserve time for rebuttal.

(4) The parties may present relevant evidence and argument based on the criteria governing the application to persuade the Board to affirm, reverse or modify the Hearings Officer decision.

SECTION 5. NOTICE AND AGENDA

A. The Board Clerk will maintain the interested person Board meeting notice list. The list will include the names and mailing addresses of all interested persons including news media that have requested to be notified of every Board meeting. The Board Clerk will mail notice stating the time and place of all Board meetings and the agenda to persons on the list, and post the notice on the Internet Web site of the Chair.

- (1) Notice will be given at least 72 hours before each regular meeting.
- (2) Notice will be given 24 hours before each special meeting.

B. The Chair, each Commissioner, the Sheriff, the District Attorney, the Auditor and Department Directors may place matters on a Board meeting agenda. The official who places a matter on a Board agenda may withdraw or postpone the matter at any time before the start of the meeting. If the printed agenda has been distributed, the Board must decide to continue the matter to another date or postpone it indefinitely.

C. The Chair will supervise agenda preparation. The Chair may adopt Executive Rules for placement of matters on the Board agenda, and the format for ordinances, resolutions, orders, proclamations and other Board documents.

SECTION 6. UNANIMOUS CONSENT

The Board may act on an item not on the agenda notice if:

- A. At least three Commissioners vote in favor of a motion that an emergency requires Board action, and
- B. All Commissioners present vote in favor of the action.

SECTION 7. ATTENDANCE, QUORUM

A. Commissioners will provide written or electronic mail notification of all anticipated absences from Board meetings to each other and the Board Clerk.

B. A quorum consists of three Commissioners.

C. If there is an emergency; two Commissioners may meet and compel the attendance of absent members with assistance from the Sheriff.

SECTION 8. VOTING

A. A Commissioner who cannot be physically present at a meeting may attend and participate by telephone. Except for executive sessions, the public will be provided a place to listen to the communication.

B. If a potential conflict of interest exists for any Commissioner relating to any matter on the Board agenda, the Commissioner will publicly announce the nature of the potential conflict before participating in the Board discussion of that matter. If a Commissioner has an actual conflict of interest relating to any matter, the Commissioner may not participate or vote on that matter.

C. After a motion and second, the presiding officer will request an explanation of the agenda matter and accept public testimony. At the conclusion of Board discussion, the presiding officer will state the motion before the Board and call for the vote.

D. After the call for the vote, no further discussion is permitted, but the presiding officer will permit the maker to withdraw the motion to allow further discussion.

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

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

G. Regular meeting agendas include a consent calendar for approval of items determined routine by the Chair. The consent calendar may be approved by a single motion, second and vote of the Board. At the request of any Commissioner, a consent calendar item will be considered on the regular agenda.

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

SECTION 9. PUBLIC TESTIMONY

A. The presiding officer may regulate the length of public participation and limit appearances to presentations of relevant points.

B. To assist persons wishing to testify at Board meetings, the Board Clerk will make public sign-up cards available. Persons will be called to testify in the order the cards are submitted to the Board Clerk, unless otherwise recognized by the presiding officer.

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

SECTION 10. ORDINANCES

A. Proposed ordinances will be prepared or reviewed and approved by the County Counsel.

B. Except for ordinances containing emergency clauses, proposed ordinances will be read at regular Board meetings on two different days at least six days apart.

C. A proposed ordinance may be read by title only if complete copies of the ordinance are available to the public at the meeting.

D. A motion to move a proposed ordinance to its second reading requires the affirmative concurrence of at least three members of the Board. Unless a later date is provided by the Board, upon passage of the motion, the presiding officer shall announce the second reading is scheduled for the next regular meeting, which shall be at least six days from passage of the motion.

E. No change or amendment to a proposed ordinance that has been placed on the agenda shall be made except by approval of a majority of the Board during the public hearing of the ordinance. If the Board approves a change that materially affects a proposed ordinance on the final reading, an additional reading of the amended ordinance may be held.

F. A non-emergency ordinance takes effect thirty days after adoption by the Board unless it prescribes a later effective date or it is referred to County voters.

G. A proposed ordinance to meet an emergency may be introduced, read once and put on its final passage at a single meeting upon unanimous consent of all Board members present. If the Board votes in favor of passage at the first reading but the vote is not unanimous, the proposed ordinance shall be scheduled for a second reading. At the second reading, the proposed ordinance may be approved as either an emergency or a non-emergency ordinance by majority vote.

H. Following Board adoption, an emergency ordinance takes effect immediately upon being signed by the Chair.

SECTION 11. APPLICATION OF RULES

The Board is the governing body for Dunthorpe-Riverdale Sanitary Service District No. 1 and the Mid-County Street Lighting Service District No. 14. The Board also sits as

the Multnomah County Budget Committee, the Public Contract Review Board and in other capacities. These Rules apply to the meetings in all capacities.

SECTION 12. 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. Copies of these Board Rules will be available at all Board meetings.

SECTION 13. ADOPTION

This resolution repeals Resolutions 95-55 and 97-65 and all previously adopted Board rules. These rules take effect immediately upon Board adoption.

ADOPTED this 6th day of May, 1999.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Beverly Stein, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY COUNSEL
for MULTNOMAH COUNTY, OREGON

Thomas Sponsler, County Counsel