CITY OF PORTLAND, OREGON
ARTS ACCESS FUND OVERSIGHT COMMITTEE BYLAWS

An independent Arts Access Fund Oversight Committee (AOC) was authorized by the City's voters as an accountability measure on November 6, 2012 (Portland City Ballot Measure 26-146), and codified by City of Portland Resolution No. 36939, which added Chapter 5.73 (renumbered as Chapter 6.10) to the Portland City Code, effective December 5, 2012.

I. PURPOSE

The purpose of the Arts Access Fund Oversight Committee (AOC) is to include representatives of the City's diverse communities to ensure the Arts Education and Access Fund (Arts Access Fund) is being implemented as required, to review expenditures made and to report their findings in a public record to the City Council on an annual basis. (Portland City Code (PCC) Section 6.10.050.) The AOC makes recommendations about the Arts Access Fund to the City Council for Council consideration and approval.

II. DEFINITIONS

"Arts Education Program Manager" means the Office of Arts & Culture designee as the staff liaison to the AOC.

"Director" means the Director of the Office of Arts & Culture

"AOC" or "Committee" means the Arts Access Fund Oversight Committee. "Office" means the City of Portland Office of Arts & Culture.

"Council" means the City Council of the City of Portland, Oregon.

"Member" means a member of the Arts Access Fund Oversight Committee.

III. MEMBERS AND TERMS

3.1 Members

The Committee will be comprised of a minimum of 10 and a maximum of 20 members, including, if possible, a member of the Tax Supervising and Conservation Commission. (PCC Section 6.10.050.) All Members serve without compensation.

3.2 Membership Appointment and Selection

A. The Council will appoint Committee members who are representative of the City's diverse communities.

B. When a vacancy occurs, or if the Council determines that adding any new Member(s) is in the best interests of the Committee, the Office of Arts & Culture will recruit new members. The Arts Education Program Manager and the

Committee will review the applications and make a recommendation to the Council to accept or reject the potential Member(s).

C. The Arts Education Program Manager may work directly with the Tax Supervising and Conservation Commission to identify a potential member for Council approval.

3.3 Terms

A. Each term shall be four years in duration. Terms may be staggered. 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 total. At the completion of each term, regardless of term length, incumbents must complete a notice of intent to continue serving on the Committee and provide the notice to the AOC Chair and Arts Education Program Manager. Members interested in continuing service beyond eight years must sit out for two years.

B. Except for terms of Members appointed to fill an unexpired term vacancy, Member terms will commence on January 1 in the year of appointment and end on December 31 in the year of expiration.

C. 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 Council.

D. Members are expected to make a good faith effort to complete their respective terms. Any Member wishing to resign must notify the Committee Chair and the Arts Education Program Manager in writing. If a Member resigns before the expiration of the Member's current term, the process outlined in Paragraph 3.2 of these Bylaws may be followed if the Committee wishes to replace such Member. Resignations do not require Council approval.

3.4 Training and Onboarding

A. The Arts Education Program Manager will track and communicate all training requirements to Members.

B. Trainings will include public official requirements outlined in section 3.6.

C. The Arts Education Program Manager, together with a Committee designee, will provide onboarding for all new members.

3.5 Absences

Members are expected to attend all Committee meetings. Members will notify the Chair and Arts Education Program Manager in advance of an impending absence and the reason for the absence. The minutes of each Committee meeting will indicate absences. Any Member who does not give the required notice for more than 25 percent of the meetings in any 12-month period may be recommended for removal at the request the Chair and the Arts Education Program Manager

3.6 Committee Members Are Public Officials

Members are considered public officials and are expected to become familiar with the rules and responsibilities described at the "Oregon government Ethics Law – A Guide for Public Officials" (Oregon Government Ethics Commission) or any replacement document. Members should also review PCC Chapter 1.03 (Code of Ethics) and comply

the City of Portland HR Administrative Rule (HRAR) 2.02 – Workplace Harassment, HRAR 4.08 – Information Technologies, HRAR 4.08A – Social Media, HRAR 4.09 – Use of City Resources, and Auditor's Administrative Rule (ARA) 8.01 – Preservation of Archival (Historical) Material. Members shall conduct themselves at all times, and in all places, consistent with the values of the Commission including honesty, integrity, consideration of different viewpoints, and cooperative problem solving.

3.7 Removal

If the Council determines in its sole discretion that a Member's continued service is no longer in the best interests of the City, the Council may remove that Member prior to the expiration of that Member's current term. Upon a violation of Paragraph 3.5 or 3.6, the Chair and the Arts Education Program Manager will notify the Member in writing that an additional violation may result in the Member's removal from the Committee. Upon an additional violation, the Chair and the Arts Education Program Manager will recommend to the Council that the Member be removed from the Committee.

IV. ORGANIZATION AND MEETINGS

4.4 Meetings

4.4.1 Meeting Dates and Times: The Committee will meet at least four times each calendar year and as otherwise necessary to conduct its business. The Chair, in consultation with the Arts Education Program Manager, will establish the dates, times and locations of regular meetings. Special or emergency meetings may be called by the Chair or any four Members. Meetings will be conducted in accordance with the operating procedures specified in these Bylaws and Oregon Public Meetings Law.

4.4.2 Quorum and Voting: A simple majority of Members constitutes a quorum (50% plus one or more). A decision by a majority of Members present at a Committee meeting at which a quorum is present shall be an act of the Committee. Proxy/absentee voting is not allowed.

4.4.3 Agendas and Notice to Members: The Chair and the Arts Education Program Manager will prepare the agenda for any regularly scheduled meeting. Agendas and any supporting materials necessary for the meeting will be emailed to the full AOC and posted on the City's website within five days of the meeting. For purpose of this paragraph, "written" means hardcopy, telecopy, email, or text.

4.4.4 Conducting Meetings: Committee meetings will be conducted in compliance with Oregon Public Meetings Law and in a manner that fosters collaborative decision-making. At the discretion of the Chair, and upon the request of any Member in attendance at a particular meeting, Roberts Rules of Order may be applied for the entire meeting or for a specific issue.

4.4.5 Public Comment and Testimony: The Committee may develop and adopt procedures for taking public comment and testimony in person, in writing, or by electronic means on matters before the Committee. Such procedures will generally facilitate public comment and testimony from those representing various viewpoints on matters before the Committee.

4.5 Officers

The officers of the Committee shall consist of a Chair and Vice Chair. The Chair will be responsible for conducting meetings of the Committee. The Chair will represent the Committee at City Council. The Vice Chair will perform these duties if the Chair is not available. The Committee will elect the Chair and Vice Chair from among the Members to serve for a two-year term. A Chair may be elected to no more than two terms. A Chair elected initially to fill an unexpired term may thereafter be re-elected to one additional two-year term. A Member who has served two full terms as a Chair may be re-elected only after the expiration of one calendar year following the completion of such Member's two terms as a Chair. The election of the Chair will occur at the first meeting of each calendar year.

4.6 Subcommittees

The AOC may divide its Members into subcommittees as the Committee may deem necessary to perform the Committee's work. Subcommittees are not authorized to act on behalf of the full Committee. Subcommittee meetings will follow the Oregon Public Meetings Law's requirements of giving notice of the meeting, setting an agenda, and taking minutes. Although subcommittees may engage non-Members, only Members may vote to approve reports and recommendations to be forwarded to the full Committee. The Committee may also appoint task groups as may be required for the purpose of performing particular assignments.

4.7 Executive Committee

An Executive Committee may be established to establish items for meeting agendas as outlined in Section 4.4.3, help set Committee priorities, and conduct time-sensitive business in between meetings. The Executive Committee will be composed of the Chair, the Vice Chair, and the Chairs of each Subcommittee. The Executive Committee meetings will follow the Oregon Public Meetings Law's requirements of giving notice of the meeting, setting an agenda, and taking minutes.

V. DUTIES

5.1 The Committee will:

- **5.1.1** Ensure that the Arts Access Fund is being implemented as required by PCC Chapter 6.10.
- **5.1.2** Review Fund expenditures for compliance with PCC Chapter 6.10.
- **5.1.3** Report their findings in a public record to the City Council annually as required by PCC Section 6.10.050.

5.2 In addition to the duties described in Paragraph 5.1, the Committee members will:

- **5.2.1** Participate in all required trainings specified by the City
- **5.2.2** Attend and actively participate in Committee meetings, and subcommittee meetings as appropriate.
- **5.2.3** Interact with Committee members in the fulfillment of the Committee's charge.
- **5.2.4** Review background materials to understand the matters and issues relevant to the Committee's work.
- **5.2.5** Voice concerns regarding the Portland Arts Access Fund directly, promptly, and constructively.
- **5.2.6** Notify the Chair and the Arts Education Program Manager of communications with any entities that receive funding from the Arts Access Fund (including school district officials, arts teachers, Council members, and arts organizations) and communications with the media regarding matters before the Committee.
- **5.2.7** Provide copies to the Chair and the Arts Education Program Manager of all written communications to or from interest groups (other than a group specifically represented by a Member) commenting on the Committee's business.

VI. STAFF LIAISON AND SUPPORT

6.1 The Arts Education Program Manager or their designee will:

- **6.1.1** Provide administrative support for meetings, including assisting Chair in scheduling and convening meetings, drafting and posting agendas and meeting materials, and providing and publishing meeting minutes.
- **6.1.2** Attend and help facilitate meetings.
- **6.1.3** Take minutes at meetings and distribute them to the Members.
- **6.1.4** Develop documents for the Committee's use as may be necessary in the furtherance of its work, including providing the data elements (revenues, enrollment, school district head count and grants, etc.) required by the AOC for its reports.
- **6.1.5** Provide relevant information to the Committee regarding ongoing City activities relating to the Arts Access Fund.
- **6.1.6** Provide verbal responses to questions from the AOC at meetings and otherwise in writing.

VII. CONFLICTS OF INTEREST

7.1 Initial Disclosure: Members must make an announcement of a conflict of interest each time the issue giving rise to the conflict of interest is discussed or acted upon.

7.2 Subsequent Disclosures: The announcement of a conflict of interest must be made on each occasion the Member is met with a conflict, and the Member must disclose the nature of the conflict. For example, a Member would have to make the public announcement each time when met with the conflict of interest, but only one time in each meeting of the Committee. If the matter giving rise to the conflict of interest is raised at another meeting, the disclosure must be made again at that meeting.

7.3 Other Requirements: Any potential conflict of interest disclosed at a meeting will be included in the minutes of the meeting. If it is found that a Member did not disclose a conflict of interest, the Arts Education Program Manager will notify the Director of the instance as soon as the incidence is known. Any potential or actual undisclosed conflict of interest noted by the Arts Education Program Manager will be included in the recommendation report provided to the City Council or other final decision-making body.

VIII. PUBLIC MEETINGS AND RECORDS; COMMUNICATIONS

8.1 Public Meetings: Meetings of the full body, subcommittee meetings, and Executive Committee meetings are open to the public and will be conducted under the provisions of Oregon Public Meetings Law (ORS 192.610-690). The Arts Education Program Manager will provide notice to the public regarding the dates, times, and locations of all meetings. Notice of all meetings will be posted on the City's website at least five days prior to the meeting.

8.2 Video and Telephonic Participation; Public Records: Per ORS 192.670(1), Members can participate through videoconference or telephonic meetings. Requests for any other electronic communication means require approval from the Arts Education Program Manager with City Attorney consultation. All records of the AOC, including formal documents, discussion drafts, meeting summaries, and exhibits are public records. Communications among Members related to the subject matter of the Committee should not be treated as confidential and may be subject to public records requests. "Communications" for purposes of this section 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 a 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 email, as public participation needs to be guaranteed through the deliberation process.

8.3 Email Communications: Committee members will be issued City emails. Members must use their City-issued email addresses for all Committee business. If a Member uses a non-City email address for Committee business, the Member must send a copy of all such emails to the Arts Education Program Manager for archiving as a public record.

8.4 Communications with Media and Public: Communications with the media and broader public by the AOC are primarily the responsibility of the Chair or other Members as may be designated by the Chair. Members may not represent the Committee in conversations with members of the media, both on and off the record, with regard to matters of policy or substance, to promote an individual agenda, or to presume to represent the positions of the AOC or its other Members. Members may share, verbatim, information provided to the AOC by the appropriate City bureaus, unless that information is provided with the understanding that it is to be kept confidential and is exempt or conditionally exempt from disclosure under the Public Records Law (if the information is in the form of a public record). When speaking on their own behalf, Members must clearly state that they are stating their own opinion and are not representing the AOC or its Members.

IX. AMENDMENT OF BYLAWS

The Committee may vote to recommend that the Director amend these Bylaws by a majority vote of the Membership of the Committee. The Office of Arts & Culture may also recommend amendments to the Bylaws to the Chair with an opportunity for the Committee to declare its position on proposed amendments. All proposed amendments to the Bylaws must be reviewed and approved as to form by the City Attorney's Office and approved by the Community and Economic Development Service Area Deputy City Administrator Members have no authority to amend the Bylaws without approval of the Director City Attorney, and the Community and Economic Development Service Area Deputy City Administrator.

Upon approval these original bylaws supersede in its entirety the Arts Education and Access Fund Citizen Oversight Committee Working Agreement dated April 23, 2013, and all prior versions of the Bylaws.

Bylaws Adoption: _____, on 12/19/2025

Donnie Oliveira, Deputy City Administrator

Approved as to form: s/ Nancy Thorington, on 12/17/2025

Deputy City Attorney