

## Exhibit A

### **Selection, Duration, and Logistics of Commission**

1. The Commission will consist of 20 voting members.
2. The Office of Management and Finance and the Office of Community and Civic Life will open and administer an application process that will remain open for a minimum of 30 days.
3. The application shall ask all applicants to commit to the 6 Core Values of the City of Portland, and applicants must either live, work, worship, or attend school in Portland.
4. Upon completion of the application process each City Commissioner will select four appointees from the applicant pool, subject to the membership requirements in paragraph 5 (five). Only people that applied through the open application process are eligible to serve on the Commission.
5. The final Commission membership must consist of five people from communities that have historically been overpoliced and five people from organizations that provide support to historically overpoliced communities. These can include communities representing Black, Indigenous, and/or People of Color, low income and houseless communities, immigrants and refugees, and persons experiencing mental health issues. Additionally, the Commission will consist of five people representing community justice organizations, and five members that represent small business.

If there are insufficient qualified applicants to reflect the representatives stated in this paragraph, then Council shall appoint Commission members to as closely reflect the communities and organizations as stated, and any remaining positions shall be of persons with a demonstrated history of education and commitment to removing the impacts of over-policing and biased-policing.

6. Upon completion of the above selection process City Council will pass a follow-up Resolution appointing the commission members and authorizing the hiring of staff person, which shall include funding for such staff and community outreach, and a volunteer stipend. Once that is completed the 18-month period of the Commissions work will begin.
7. Upon appointment, Commission members may only be removed by City Council.
8. The Commission will meet for up to 18 months. The 18-month period of the Commission's work will begin upon passage of the Resolution.
9. The Commission will meet at least no less than once a month and will conduct all meetings in accordance with public meeting laws.
10. The Commission will receive attorney-client privileged information in a private forum from the City Attorney's office regarding any labor matters under the Public Employees Collective Bargaining Act and/or the collective bargaining agreements within the Portland Police Bureau as well as DOJ.
11. The Commission will invite experts to testify and answer questions, research necessary topics, and allow for public testimony.
12. The Commission will invite and seek out subject matter experts to inform their work including police officers and law enforcement experts. Current or former law enforcement officers are not eligible to serve on this Commission but shall be invited as subject matter experts to provide testimony as the Commission sees fit.

13. The Commission will be staffed commensurate with the importance of this commission to the City. At a minimum, the Commission will be provided with project management and administrative staff.
14. The Commission will work with the City Attorney office and Office of Equity and Human Relations to ensure that recommendations consider the City's equity goals and comply with collective bargaining and other legal requirements.
15. A stipend shall be established to remove barriers that would otherwise prevent community participation up to and including the maximum amount allowed by law for stipends for volunteers.

**Exhibit B**

To be adapted for Police Oversight Commission



## BYLAW TEMPLATE FOR CITY ADVISORY BODIES

[Name of Body] (“Body”)

**I. Body created on \_\_\_\_\_, by**

- Portland City Code \_\_\_\_\_
- Council Resolution \_\_\_\_\_
- Council Ordinance \_\_\_\_\_
- Bureau \_\_\_\_\_; by whom \_\_\_\_\_
- Other \_\_\_\_\_

**A. Purpose**

[Describe why this Body exists using plain language. What is its subject matter, objectives, goals, timelines and deadlines? Is there a time limit by which its work is expected to be completed? Is this Body perpetual or temporary?]

**B. Sponsor Bureau** \_\_\_\_\_

**C. Staff/Bureau liaison title** \_\_\_\_\_

**D. Advise to**

- City Council
- Elected-in-Charge<sup>1</sup> \_\_\_\_\_
- Bureau Director
- Designated bureau staff (title) \_\_\_\_\_

**II. City Role**

The Bureau will provide a staff person to assist with technical support, substantive expertise, logistical assistance, administrative assistance, and advice to the Body. The Bureau will also provide public notice of all meetings, post materials to a webpage, and prepare meeting

\_\_\_\_\_

<sup>1</sup> The term Elected-in-Charge refers to any of the five elected Commissioners (including the Mayor) plus the City Auditor.

summaries that outline the issues discussed, the areas in which there is agreement, and any remaining issues on which agreement was not reached.

### III. Frequency of Meetings

The Body shall meet at least \_\_\_\_\_ times each calendar year and as otherwise necessary to conduct its business. Meetings shall be conducted in accordance with the operating procedures specified herein.

### IV. Membership and Term

Members of advisory bodies are public officials. They must become familiar with rules and responsibilities described at the “Oregon Government Ethics Law - A Guide for Public Officials” (Oregon Government Ethics Commission). Must be a specific number.

- A. Total membership \_\_\_\_\_ seats  
 \_\_\_\_\_ seats for \_\_\_\_\_ years;  
 \_\_\_\_\_ seats for \_\_\_\_\_ years;  
 \_\_\_\_\_ seats for \_\_\_\_\_ years.

B. Terms (select one)

- Staggered  
 All terms begin/end at the same time

C. Term Limits

1. 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.
2. At the completion of each term, regardless of term length, incumbents are required to complete notice of intent to continue to serve and discuss mutual benefits of continuing on the Body with the designated bureau staff liaison.
3. Members interested in continuing service beyond eight years must sit out for (select one)
  - two years (if the body does not have set terms)
  - one term of \_\_\_\_\_ years
 before reapplying to serve on the same advisory body.

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 appointing entity. If there are vacancies, including if a position becomes vacated during a term, normal recruitment processes should follow. The process includes recruitment applications, vetting and selecting members, and appointment by the Elected-in-Charge (for bodies advising Council) or bureau director (for bodies advising a

bureau program or bureau director).

**D. Quorum (select one)**

- Simple majority: 50% plus 1 or greater number of seats
- A specific number\_\_\_\_, per the authority of \_\_\_\_ [must name other law] (Typically these are laws higher than the state, such as federal. This option is extremely rare)

Advisory bodies advising an individual rather than Council are not required to have a quorum to deliberate. These bodies may use alternative means to arrive at recommendations.

**E. Voting (select one)**

- Majority of seats per ORS 174.130
- Majority of quorum present per the authority of \_\_\_\_ [must name other law] (Typically these are laws higher than the state, such as federal. This option is extremely rare)

A quorum shall be necessary of voting members to make decisions that represent the position of the Body and to fulfill any other responsibilities. Proxy/absentee voting is not allowed.

Advisory bodies advising an individual rather than Council are not required to administer a formal vote to make recommendations.

**V. General Operating Procedures**

**A. Disclosure of Conflicts of Interest [or other connection]**

- A public official is required to make an announcement of the nature of a conflict of interest each time the issue giving rise to the conflict of interest is discussed or acted upon.
- The announcement needs to be made on each occasion when the public official is met with the conflict of interest, and the public official must disclose the nature of the conflict of interest.
- For example, an elected member of the City Council would have to make the public announcement one time when met with the conflict of interest, but only one time in each meeting of the City Council. If the matter giving rise to the conflict of interest is raised at another meeting, the disclosure must be made again at that meeting.
- Bureau liaison and/or staff are obligated to record and keep all conflicts of interest that are announced during each meeting.
- If it is found that a member did not disclose a conflict of interest, staff must alert the Bureau Director of the instance as soon as the incidence is known.
- Any potential or actual conflict of interest noted by staff will be included in the recommendation report provided to City Council or other final decision-making

body.

- B.** Meetings will be conducted to foster collaborative decision-making using either:
- Robert’s Rules of Order culminating in a majority vote;
  - Consensus Decision Making (including Modified Consensus Decision Making). This option still requires a quorum and a final vote. For example, if there are no vetoes, all voting members’ names are listed as “yay”, and abstentions are also noted.

## **VI. Removal of Members and Resignations**

**A.** All members serve at the pleasure of the Elected-in-Charge of the Bureau (for bodies advising council) or Bureau Director (for all other bodies) and may be asked to resign or be removed at the Elected-in-Charge or Director’s discretion at any time unless authority (for instance, Code, statute, etc.) exists requiring a different process.

**B.** Any member who does not give notice that they intend to be absent from a scheduled meeting for more than 25 percent of the meetings in any 12 months of the service will be removed by the Bureau Director.

**C.** Process for removal

- For unexcused absences: Bureau liaison keeps attendance and informs Bureau Director of absences, who in turn informs the member in writing that they have been removed as a member of the Body.
- By Elected-in-Charge: Elected informs the member in writing that they have been removed as a member of the Body.

**D.** Resignation process

Members are expected to make a good faith effort to complete their term. In cases where this is not possible, members are expected to provide notice to the City staff liaison in writing (preferred) or verbally. Members are encouraged to complete the Resignation Form and submit to City staff liaison.

## **VII. Officers and Subcommittees**

The presiding officers of the Body may consist of positions in sequential presiding order.

- Chairperson (Chair)
- Vice-chairperson(s) (Vice-Chair)
- Coordinating committee (or similar)
- Other \_\_\_\_\_

and will act as designated leadership appointed by:

- Elected-in-Charge.
- Bureau Director.
- Majority vote of members or consensus decision-making.
- Other \_\_\_\_\_

The designated leadership shall be responsible for conducting the meetings and will be voting members of the advisory body. A presiding officer will be designated at all times. The designated leadership may look to staff liaison to facilitate meetings.

The designated leadership will encourage full and safe participation by representatives in all aspects of the process, assist in the process of building consensus, and ensure all participants abide by the Body's operating procedures. The

- Chair and the Bureau staff liaison
- Bureau staff liaison
- Other \_\_\_\_\_

will also serve as liaison between the members of the Body and the City. In consultation with the facilitator (if there is one) and staff liaison, the designated leadership will develop meeting agendas, establish subcommittees if needed, and ensure an efficient advisory process.

The Body may divide its members into subcommittees authorized to act on behalf of the full Body for an assigned purpose.

For advisory bodies who advise Council, subcommittee meetings are also subject to Oregon Public Meetings Law and must abide by quorum requirements when voting. While subcommittees may engage non-members, only members may vote to approve reports and recommendations to be forwarded to the full Body. When voting, the quorum for subcommittee members is the simple majority of the subcommittee (50% plus 1 or greater number of seats).

### **VIII. Facilitator Role (optional)**

The City may contract with an independent and neutral third party whose role is to facilitate meetings, help develop recommendations, and produce approved reports. The Facilitator will not act as an advocate on any issue, any interest group, or any member of the Body.

Specific facilitators' responsibilities are determined by the needs of the Bureau and advisory board, but may include:

- Ensure a welcoming meeting environment where all members can participate.
- Ensure a safe environment for minority opinions.
- Conduct meetings in a manner to foster collaborative decision-making and consensus building.

### **IX. Communications**

**A.** Members agree that transparency is essential to all deliberations. In that regard:

Advisory body members are required to notify City staff liaison of verbal communications with interest groups and all communications with media. Members are required to copy the City staff liaison and, when appropriate, the Facilitator on all written communications from/to interest groups (other than a group specifically represented by a member) commenting on the Body's deliberations. These communications will be included in the public record as detailed below and copied to



Approved by: \_\_\_\_\_, on \_\_\_\_\_.  
(Director of Sponsor Bureau) (date approved)

Amended: \_\_\_\_\_, on \_\_\_\_\_.  
(name, title) (date amended)

Approved by: \_\_\_\_\_, on \_\_\_\_\_.  
(Director of Sponsor Bureau) (date approved)

Amended: \_\_\_\_\_, on \_\_\_\_\_.  
(name, title) (date amended)

Approved by: \_\_\_\_\_, on \_\_\_\_\_.  
(Director of Sponsor Bureau) (date approved)