## City of Portland - Office of Neighborhood Involvement Bureau Advisory Committee (BAC) Summary Notes May 10, 2010

#### In Attendance:

Christina Albo (RNW), Sylvia Bogert (SWNI), April Burris (North Tabor), Betsy Coddington (RNW), Anne Dufay (SEUL, BAC Co-Chair), Donita Fry (NAYA), Jane Netboy (Goosehollow), Jerry Powell (Goosehollow, W/NW), Tom Schaper (Ashcreek NA, SWNI), Mark Sieber (W/NW), Alison Stoll (CNN), Jen Tonneson (Rocky Point Marina, BAC Co-chair)

**ONI Staff:** Amalia Alarcón de Morris, Amy Archer, Brian Hoop (NRC)

Other City Staff and Elected Officials: Commissioner Amanda Fritz

### **Budget Update**

Commissioner Fritz gave a brief introduction and budget update. She gave thanks to all the messages of support for the ONI Budget.

- The Proposed Budget is not as good or as bad as it could have been, as it did include funding to continue Graffiti and Resolutions NW but did not include the one-time funding for small grants to continue at the full amount. There was a technical error in the ONI budget that showed an additional \$24,000 reduction to ONI's budget but that was resolved in time for the Proposed budget. Everything is very lean across the board. She had hoped there may be some room for ongoing but there was no ongoing available. Most bureau's core services were funded. The Proposed budget may not end up the final budget based on other issues that have been raised with Police. Water and BES.
- One member asked whether there was any advocacy that would be helpful now – to give thanks for funding most of our request and hopes that in the future ongoing funding would be secured. The Commissioner stated that it would not hurt. There are no ongoing dollars available now but perhaps in the future.
- One member asked about large budget overruns like with SAP implementation being \$20 Million over budget or BES projects exceeding budgets. What will the City be doing in the future to avoid issues like these. The Commissioner stated that the Commission form of government provides some latitude for spending and that she cannot have input other than general fund or her own assigned bureaus. However, the place to make important decisions is in the beginning and having good tracking and a reserve available if necessary.
- The Commissioner shared concern that next year's budget will not be any better. A lot of large decisions are made in the budget process.
- One member asked about the funding for community college scholarships.
  The Commissioner stated that there was about \$167,000 general fund

- included for programs that focus on trades. She will need to look at it more closely to form an opinion.
- She stated that there is a need to get to funding the basic needs but in a cognitively clear way, with an understanding of why a fund is paying for a particular program or service.
- The Commissioner closed with thanks again for the hard work developing and supporting the budget.

### **ONI Standards**

Brian Hoop gave a brief summary of a recommended approach for updating the ONI Standards and distributed two documents "2<sup>nd</sup> DRAFT changes to Section IX: Review of Office of Neighborhood Involvement Standards" and "Summary of ONI Standards issues for future review (attached).

- The Standards provide the minimum requirements for ONI's work and rules for openness/transparency. As the work has evolved beyond neighborhood associations question are raised about how to institutionalize the relationship with Diversity and Civic Leadership partners and whether others like floating homes have acknowledgement and a place at the table.
- Approximately every 4-5 years there was a large committee review of the standards and last time it took years and was a very difficult process.
   Since then, the Bureau Advisory Committee has become more dynamic and empowered to take leadership and review recommendations from subcommittees.
- The Draft 2 changes document summarizes the recommended change to the review process. The goal is to have a public comment period at the July BAC meeting and to approve by the August meeting.
- The summary of issues document has 6 pages of issues raised previously and the first 2 pages are the priorities recommended by staff.
- The first step is to set up the format and then the adhoc committee would determine the issues to be addressed.

### **BAC Subcommittee Summary**

Amy Archer distributed the ONI BAC Subcommittee Update (attached) and reviewed the status of subcommittees formed by the ONI BAC. Anybody interested in participating in one of the active/ongoing committees should contact Amy for more information (503-823-2294).

### **Announcements/General**

• The group briefly discussed the "Resource Sharing" portion of our prior BAC meetings. One member asked if there was a plan for an electronic information site. Many groups already have listserves so it may depend on the type of resources that we want to share. There is interest in sharing when we have a need or have a resource. There are challenges to doing this on the City site because of security restrictions and maintenance

issues since we don't have a "webmaster". Neighbors West/Northwest stated that they currently have an opportunity for a blog on their site so could explore that possibility. One member shared concern regarding access because not everybody uses internet and putting more online is not the way to go. The group agreed to discuss at a future meeting.

 APNBA is still conducting a search for an Executive Director. It closes on May 21<sup>st</sup>, salary is \$47-57k. Please let folks know that may be interested.

### **Future Agenda items:**

- Performance metrics review
- Standards
- Public Involvement Plan for ONI

Next Meeting: Monday, June 14, 2010, 5:30pm - City Hall

# 2<sup>nd</sup> DRAFT changes to Section IX: Review of Office of Neighborhood Involvement Standards

# Update on changing this section

- The ONI BAC approved of the concept of changing procedures for review and updating the ONI Standards at their September 2009 meeting. The BAC agreed that the existing process would likely require a lengthy review process of the entire document for which few would likely volunteer. The BAC directed ONI staff to develop a recommendation for updating this section.
- Paul Leistner, Brian Hoop, Mark Sieber, and Leonard Gard met February 23, 2010 to outline changes to the procedures for review and updating of the ONI Standards.
- Changes to this section are necessary before any other changes can be considered such as changes to the relationship of Business Associations with ONI, the role of DCL organizations and communities beyond neighborhood boundaries, and changes affecting neighborhood associations.

# Proposed schedule for public comment and Council hearing:

- April Finalize proposed draft from subcommittee of Mark, Leonard, Paul, Brian.
- BAC review, discussion, revisions May to July 7.
- Distribute proposal to key stakeholders and community, 2<sup>nd</sup> and 3<sup>rd</sup> week May.
- ONI BAC mtg. July 7 Public hearing/comment and BAC recommendation.
- · Seek Council approval in August.

# Proposed changes to Section IX of the ONI Standards

The Director of the Office of Neighborhood Involvement shall forward issue areas for review to the ONI Bureau Advisory Committee (BAC) on an as-needed basis. The BAC shall assign ad-hoc committees to review and develop recommendations which shall be approved by the BAC before submittal to the Commissioner-in-charge of ONI. Any party wishing to propose amendments to the Standards may do so by submitting written proposals to the Director of ONI.

### A. Composition of ad-committees

Ad-hoc committees shall be representative of primary ONI partner organizations and constituencies. All representatives shall be chosen by their organizations. The chair/co-chairs will be selected by the committee. The chair of the committee will be a

volunteer representative. The committee shall have a minimum of five members. Positions on the committee are extended to the following ONI stakeholder organizations:

- 1. A volunteer representative of each District Coalition.
- 2. A volunteer representative of each Diversity and Civic Leadership program funded organization,
- 3. A volunteer representative of Business District Associations,
- 4. At least one representative of District Coalition staff,
- 5. At least one representative of Diversity and Civic Leadership program funded organizations,
- 6. A representative of Elders in Action,
- 7. A representative of Resolutions NW, and
- 8. At least one staff representative of the Office of Neighborhood Involvement.

### B. Procedure for review and approval of recommendations

- The Director of ONI shall designate staff to develop a report with background information, pros and con issues for consideration, and initial recommended language.
- ONI shall notify all organizations recognized and acknowledged by ONI as well as all organizations funded by the bureau that an ad-hoc review committee has been established with a minimum of 45 days previous to their initial meeting. ONI shall also post notification on its electronic PortlandOnline subscription list.
- 3. The liaison to ONI from the City Attorney's Office shall review draft language before submittal to the BAC.
- 4. The review committee shall submit recommendation(s) to the Bureau Advisory Committee.
- 5. Draft recommendations will be distributed to each Neighborhood Association, District Coalition, Diversity and Civic Leadership program funded organization, Business District Association, City agencies, and other affected stakeholders who've requested to be notified. The review and comment period shall be no shorter than 60 days.
- At least one public hearing will be scheduled to receive oral and written testimony from all interested parties.
- The Bureau Advisory Committee will then review the public comments and approve any final changes before referring amendments to the Commissioner-in-charge for approval.
- 8. The Commissioner-in-charge shall then present to City Council for approval.

## Summary of ONI Standards issues for future review

May 10, 2010 Brian Hoop



Below is an initial draft of issues that have been sent to ONI or identified since August 2005 for future consideration. Brian Hoop, Leonard Gard (SWNI), Mark Sieber (NWNW), and Paul Leistner have been helping compile feedback they've heard.

The ONI Bureau Advisory Committee (BAC) agreed in principle to changing the process for updating the ONI "Standards" at their September 2009 meeting. Instead of organizing one committee to lead a comprehensive review of the entire document the BAC would take the lead in prioritizing issues for review by smaller committees that would present recommendations to the BAC, which would then forward them to Council for consideration. There would still be the broad public notification and education as in the previous cycle before 2005.

### **Tentative schedule:**

- April Finalize list of issues identified to date.
- May to July Review and seek public input.
- July to August ONI BAC approves priorities to work on.
- Initiate first 2-3 committees in fall 2010.

## Suggested priority issues identified by ONI staff:

Below are topics that ONI staff suggests should be prioritized as issues to examine in the next fiscal year amongst three to four different subcommittees:

### Role of online democracy and civic engagement:

- Role of electronic deliberations and public meetings: Can recognized organizations deliberate and vote online (email, newsgroups, blogs, etc.) on decisions that they intend to forward to City agencies and for board elections? How do we respond to online deliberative democracy tools of the 21st century with a civic engagement program designed in the 70's for face-to-face meetings?
- Electronic web and newsgroup policies: Should we establish an expanded web and newsgroup policy for neighborhood associations and district coalitions on issues including limiting membership on lists, monitoring language/free speech, sponsoring sites on a server and advertising revenue and tax issues?

### Relationship of Business District Associations with City government:

 Which City agency administers policy with BDA's: What is the relationship of business district associations to the City, ONI, PDC? Should they be held accountable to same rules as NA's if they seek the same benefits?

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# Relationship of Diversity and Civic Leadership organizations and Communities Beyond Neighborhood Boundaries with City government:

- Recognizing newer ONI partners: What does it mean to be formally recognized or acknowledged for the new ONI Diversity and Civic Leadership program partners, and long established Elders in Action, within the ONI Standards?
- Renewing CBNB policy: Commissioner Fritz seeks consideration of policy for acknowledging Communities Beyond Neighborhood Boundaries.
- Common core minimum requirements: What are the minimum requirements we want to emphasize in the Standards that apply to all recognized or acknowledged groups? i.e. openness (e.g. open meetings), transparency (e.g. minutes as public records), accountability (bylaws e.g. how they elect boards), conflict resolution process (e.g. grievance procedure), non-discrimination (e.g. mirrors city's statement), etc.?

### Open meetings and public records:

- Applicability of open meeting/public record rules to subcommittees: Should subcommittees be required to follow the public records and open meetings rules in the Standards?
- **Defining elections as decisions:** The definition of a "decision" excludes elections--so it appears we don't have a grievance procedure for elections.
- Posting meeting minutes on the web: Should meeting minutes be posted online within a certain time limit to meet the spirit of exemptions from City lobbying rules.

## For more information and to provide feedback:

Brian Hoop Neighborhood Resource Center Manager City of Portland, Office of Neighborhood Involvement City Hall, 1221 SW 4th Ave., #110 Portland, OR 97204

Email: <u>brian.hoop@portlandoregon.gov</u>

Phone: 503.823.3075 Fax: 503.823.3050 TTY: 503.823.6868

Web: www.portlandonline.com/oni (NOT POSTED YET)

To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-823-4519, TTY 503-823-6868 with such requests.

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### Below are all comments received from August 2005 through April 2010

Below is a summary of all the issues identified since the last update of the ONI Standards in August 2005, either forwarded to ONI from Neighborhood Association leaders, District Coalition staff, or public comment. Lengthier commentary summarizing each issue will be posted on our website.

## **Definitions (or not sure which category)**

- What do we call this document: Drop the term "Standards" and use the term "Rules" or "Operating Rules."
- Enforcement: A discussion about roles in the enforcement of ONI standards.
- **Non-profit incorporation:** Should NA's be required to be registered as non-profit corporations with State of Oregon?
- Accountability: When organizations fail to comply with the Standards, they need to be held accountable. At a minimum nothing more than a letter is needed.

### **Neighborhood Associations**

- Requiring minimum size of boards of directors: The Standards don't say anything about boards of directors. Do we want to define some minimum board structure?
- Minimum age for membership: Should there be minimum age limits? Some NAs have provisions that members must be 18 years of age to vote.
- Composition of board members: Should bylaws be allowed to favor one category of members over another, for example, 3/5<sup>th</sup> of the board needs to be residents.
- Conduct of volunteers: How do we hold volunteers accountable for inappropriate behavior? Do NA's have the ability to "fire" volunteers with or without cause?
- Membership vs. Board, decision making authority: Should membership have authority to approve all decisions? Many NA's place most authority with boards.
- Ownership of membership lists: How do we balance the rights of public to see membership records and rights to privacy of contact information?
- Officer position of Webmaster: Should each NA be required to have a webmaster, and that it should be a NA officer position?
- Limitations on defining members who can vote: Should a NA be allowed to limit membership, i.e. attend three meetings? Is this an unfair limit on voting rights?
- Requiring primary contact information for an association: Should we require contact info for all entries in the Neighborhood Directory so the City can reach them?
- Requiring parliamentary procedures: Should some minimum form of parliamentary procedure be required for neighborhood meetings?

### **District Coalitions**

- **Electronic web and newsgroup policies:** Should we establish expanded web and newsgroup policies for neighborhood associations and district coalitions?
  - Limitations on email list membership: Can groups limit membership on electronic lists if individuals violate their rules of engagement?

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- Can a NA or coalition provide an uncensored public forum to facilitate communication, so long as the organization itself does not take a position?
- Are there **limitations on free speech** when coalitions host their NA websites, then what test must it specifically pass to do so? If the coalition hosts a NA web site on their site should the association be constrained by the same restrictions as the coalition? What if the neighborhood associations had their own separate web site? What if the web site is hosted on the coalition server, but otherwise separate from the coalition web site? What about neighborhood associations who are using the coalition's sub-domains?
- Can NA's sell advertising space on their coalition web site? Coalitions are concerned about tax implications re: advertising income or affiliation.
- If we write policies and post them on our web site, **who monitors a site** to make sure whatever is posted follows the guidelines?
- **Definition of membership for business license property owners:** Should we further define what membership for a business means beyond the "license" holder?
- Approving MOA for city administered coalitions: In the absence of boards of directors, who has authority to approve city run offices memorandum of agreement?
- Whistle blower protection for coalition staff: No protection for staff is spelled out. If staff are witness to wrongdoing, they have to fear retaliation.

## **Business District Associations (BDAs)**

- Which City agency administers policy with BDA's: What is the relationship of business district associations to the City, ONI, PDC? Should they be held accountable to same rules as NA's if they seek the same benefits?
- Emerging BDA's and overlapping boundaries: Process for new emerging business associations that form within boundaries of older established business associations that do not wish to share overlapping boundaries.
- Reviewing and updating definition of what is a BDA: basic requirements, membership, boundaries, number of businesses, etc.
- **Home-based business association:** How do we recognize/acknowledge home-based businesses as a community beyond traditional business association boundaries?

# Diversity and Civic Leadership (DCL) program organizations

- Recognizing newer ONI partners: What does it mean to be formally recognized or acknowledged for the new ONI - DCL partners, and long established Elders in Action, within the ONI Standards?
- **Recognition of coalition of community groups:** The DCL groups have discussed perhaps there should be a coalition of ethnic minority organizations.
- Common core services that ONI funds: What are the common services that we are funding grantees to provide? Leadership development? Communication? Etc.
- **Defining equity:** What does equity mean in our civic engagement system? How are resources and power shared? Do we define equity in the Standards?

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- Common core minimum requirements: What are the minimum requirements that apply to all recognized or acknowledged groups? i.e. openness (e.g. open meetings), transparency (e.g. minutes as public records), accountability (bylaws e.g. how they elect boards), conflict resolution process (e.g. grievance procedure), non-discrimination (e.g. mirrors city's statement), etc.?
- Differentiating between groups ONI funds and doesn't fund: Do we continue to have two different tracks recognition and acknowledgement depending on funding?

## Communities Beyond Neighborhood Boundaries (CBNB)

- Renewing CBNB policy: Commissioner Fritz seeks consideration of policy for acknowledging Communities Beyond Neighborhood Boundaries. What are organizations hoping to get out of a formal partnership with ONI and the City? What are the problems they are hoping to address?
- **Boat home residence association:** There is a request to be considered for recognition from boat home residents and communities as a CBNB.
- Recognition vs. acknowledgement: Are groups seeking "Acknowledgement" or "Recognition"? Does a formal relationship with such organizations include minimum requirements similar to those of NAs?
- Elders in Action, Disability and youth communities: Should Elders in Action be incorporated into the ONI Standards within the DCL program or independently? Is there community interest from the disability community or youth community?

## **Grievance and Appeal Procedures**

- Elections as primary recourse for membership displeasure with membership: Should we emphasize that the highest authority is electing a new board for when membership is unhappy with how their leadership dealt with a grievance?
- Transparency in how NAs consider grievances: Should the whole board be notified about a grievance? Does the grievant have a right to speak? Present evidence?
- **Dealing with procedural violations of bylaws:** The Standards don't address remedies for procedural violations of bylaws or Standards.
- Grieving elections and fiduciary responsibility: Can issues that are not addressed in bylaws or the Standards be grieved: Elections? Fiduciary Responsibility?
- Standing to file a grievance by those other than grievant: Should there be standing to appeal a grievance decision by someone other than a grievant?
- Requiring committees, or independent committee, review grievances: Should we require committees to include at least one person not currently serving on the Board?
- Grievance ruled as not rising to level of a grievance: May a matter be appealable whether or not the party against whom it was filed has responded by the due date?
- **Discipline of board members for cause:** The Standards do not currently provide that a board member or committee chair may be disciplined for cause, only.
- Barring retaliation for filing a grievance: The grievance system does not specify that there shall be no retaliation for filing a grievance.

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• Estoppel: We do not include a clause that provides the same effect as collateral estoppels. If "no rule against it" is the operating doctrine, you need a rule against it.

### **Open Meetings and Public Records**

- Role of electronic deliberations and public meetings: Can recognized organizations deliberate and vote online (email, newsgroups, blogs, etc.) on decisions that they intend to forward to City agencies and for board elections? How do we respond to online deliberative democracy tools of the 21st century with a civic engagement program designed in the 70's for face-to-face meetings?
- Applicability of open meeting/public record rules to subcommittees: Should subcommittees be required to follow the public records and open meetings rules in the Standards?
- **Defining elections as decisions:** The definition of a "decision" on page 38 excludes elections--so it appears we don't have a grievance procedure for elections.
- Immediate past presidents as voting members of boards: Should immediate past presidents/chairs be automatically allowed as voting members of boards?
- Mediation process and transparency: Mediation is encouraged as a means of conflict resolutions and then kept confidential. Is this a violation of public records?
- **Defining day-to-day decision making:** Need more clarification distinguishing routine day-to-day decision making from "decisions and policy recommendations."
- Executive sessions dealing with grievances as public records: Clarify rules for documents as public records and grievances in executive sessions.
- **Protection of private documents/notes/phone logs:** Does the introduction of these at grievance hearing make personal notes a matter of public record?
- Proxy Groups or conflicts of interests with officers on multiple groups: Do we need to require stating when a board member is a leader of another organization?
- **Temporary authority to make decisions:** Need to clarify authority of subcommittees and officers to make decisions to be later ratified by the board.
- Secret ballots for items other than elections: Should secret ballots be allowed on all decisions similarly as are allowed for board elections?
- **Draft vs. Final documents as public record:** Need clarification at what point are associations and coalitions required to provide documents as public records.
- Alternate board members: Should alternates, or permanent proxies, be allowed. Some feel meeting commitments are overbearing but are willing to share duties.
- Transparency when NA leaders speak as individual vs. NA rep: Recommendation that there needs to be more transparency with NA correspondence and who NA officers represent when they speak as an individual vs. a neighborhood representative.
- **Posting meeting minutes on the web:** Should meeting minutes be posted online within a certain time limit to meet the spirit of exemptions from City lobbying rules.
- Rule not allowing physical harassment: Should we have more explicit rules clarifying harassing behavior is not allowed and how people will be held accountable.

### Review of ONI Standards

• Open to public comment: Making the Standards committee open to public comment.

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# ONI BAC Subcommittee Update May 10, 2010

### **Subcommittee Work Completed:**

- Mission, Goals, Values
  - formed to further develop proposed value language and subcommittee wrapped up in 2009
  - Guiding Principles completed April 2010
- Performance Measures
  - Formed to provide input on recommended performance measure development coordinated by Sanj Balajee. Subcommittee work completed. Staff have been working with Coalition Directors over the past year and half on the original recommendations. Staff currently working on distilling the performance measures into manageable implementation plan to be presented to the BAC.
- Community Budget Forums
  - Formed to give input on budget process and make recommendations for improvement on City community budget forums. Public Involvement Advisory Council led the work with some BAC members participating.

### **Active or Ongoing Subcommittee:**

- Steering committee
  - Ongoing committee to help plan agendas and strategize prior to monthly BAC meetings
  - Participation changed in Fall 2009 for budget development current participation includes: Anne Dufay, Kayse Jama, Jen Tonneson, Mike Boyer, Paige Coleman, Lisa Reed Guarnero, Judith Mowry, Doretta Schrock, Amalia Alarcón de Morris, Amy Archer
- ONI Public Involvement Policy
  - The Public Involvement Advisory Council (PIAC) is developing guiding principles, and one component is for bureaus to have a public involvement policy. Formed a subcommittee to develop a draft for ONI.
  - Staff will develop an initial recommendation to present to BAC and determine volunteers for subcommittee if additional work required.
- ONI Standards
  - Originally intended to develop a plan, then at a later BAC recommended that staff develop recommendations and bring back to the BAC for discussion.
  - Recommendations developed with staff and Coalition staff, to be presented May 10, 2010.

- Coalition Funding Formula
  - Formed to evaluate current coalition funding formula and determine steps to deal with potential inequities in funding without negatively impacting existing funding structure. Suggested that it may be a 5-8 year plan.
  - Alison Stoll and Richard Bixby co-chairs. Other volunteers include: Ron Laster, Anne Dufay, Doretta Schrock, Brian Hoop, Amy Archer.
  - Initially postponed due to economic situation and pending cuts, but intend to meet and plan soon to be prepared when there is possibility for new funds.
  - o Group has not met yet.

If you are interested in joining/participating on any of the listed subcommittees, please contact: Amy Archer at 503-823-2294 or <a href="mailto:amy.archer@portlandoregon.gov">amy.archer@portlandoregon.gov</a>