

URBAN FORESTRY COMMISSION



PORTLAND PARKS & RECREATION

Healthy Parks, Healthy Portland



• Nick Fish, Commissioner • Mike Abbaté, Director

**PORTLAND URBAN FORESTRY COMMISSION
BYLAWS
January 5, 2012**

Prefatory note: Some provisions normally included in a commission or board's bylaws are, in the case of the Urban Forestry Commission, addressed by Portland's City Code. For convenient reference, these are included in an appendix to these bylaws and are indicated by an asterisk (*) in the body of the bylaws.

1. PURPOSE AND SCOPE

1.1. *Purpose:* The purpose of these Bylaws is to assist the Urban Forestry Commission (UFC) in carrying out functions and responsibilities assigned to the Commission under the City Code.

1.2. *Scope:* These Bylaws apply in addition to any other statutes, ordinances, rules or regulations that may govern the Commission.

2. MEMBERS*

2.1. *Vacancies:*

2.1.A. A Nominating Committee appointed by the Chair shall work with the City Forester in recruiting and reviewing applications to fill vacancies and making recommendations to the Commissioner in charge.

2.1.B. Members whose terms have expired may continue to serve until successors are appointed.

2.1.C. Commission vacancies need to be filled in a timely manner and a list of potential nominees will be maintained and updated at least yearly by the Nominating Committee. The Commission will strive to recruit and select qualified candidates that represent Portland's diverse communities and neighborhoods.

2.2. *Ex-officio members:*

2.2.A. *Members:* As per City Code the City Forester and the Commissioner of Parks & Recreation or the Commissioner's designee and the City Engineer or the Engineer's designee are ex-officio members.*

* See Appendix A for City Code provisions addressing this matter.

2.2.B. *Voting Rights:* Ex-officio members shall serve without voting rights.

2.2.C. *Term:* Ex-officio members shall serve for a one-year term, subject to renewal.

2.3. *Responsibilities:* Commission member responsibilities include:

- Preparing for and attending Commission meetings;
- Understanding and following democratic processes and the Commission's Bylaws;
- Examining all available evidence before making judgments;
- Recognizing that the Commission serves and protects the public interest;
- Participating actively in Committees as directed by the Chair.

2.4. *Absences:*

2.4.A. Members shall notify the Chair, as soon as possible, of anticipated absence from a meeting.

2.4.B. Minutes of Commission meetings shall indicate absences.

2.5. *Removal:* The City Forester in consultation with the Chair may recommend to the Commissioner of Parks & Recreation that a UFC member be requested to resign if the member is not actively attending meetings and participating in Commission activities.

2.6. *Resignation or leaves of absence:* The Chair shall notify the City Forester, Commissioner of Parks & Recreation and Mayor of any resignations or requests for a leave of absence received from UFC members or ex-officio members.

3. OFFICERS

3.1. *Nominations:* The Chair shall appoint a Nominating Committee to nominate a slate of officers for the subsequent term. This Committee shall be comprised of no fewer than three voting members of the Commission.

3.2. *Election of Officers:*

3.2.A. The Commission shall elect a Chair, Vice-Chair and Secretary from among currently appointed Commissioners. Ex-officio members may not serve as officers. Election is by a majority vote of the membership of the Commission entitled to vote.

3.2.B. *Terms:* The standard term of office is two years. No officer shall be elected to more than two consecutive terms. An officer elected initially to a term of less than one year may thereafter be re-elected to two consecutive terms. An officer otherwise may be re-elected after at least one full year following completion of the officer's two consecutive terms.

3.3. *Rights and responsibilities:* In addition to serving as officers, the Chair, Vice-Chair and Secretary shall have all the rights, duties, and responsibilities of any other member of the Commission.

* See Appendix A for City Code provisions addressing this matter.

3.4. *Presiding Officer:*

3.4.A. *Whom shall serve:* The Chair shall preside at all Commission meetings. In the absence of the Chair, the Vice-Chair shall preside. In the absence of both the Chair and the Vice-Chair, the Chair may designate a serving Commission member to preside if their absences are anticipated, or the Commission members present shall select one of their members to preside.

3.4.B. *Responsibilities and authority:* The Presiding Officer is responsible for the efficient and orderly conduct of Commission meetings. The Presiding Officer has the authority to impose reasonable restrictions, such as limiting the length of testimony or limiting comments to relevant topics. The Presiding Officer is responsible for the conducting of voting during Commission meetings.

3.5. *Duties of the Chair:*

3.5.A. *General Duties:* The Chair serves as the Commissioner's principal liaison to the City Forester, the Commissioner of Parks & Recreation, other Bureaus and Commissioners and the Mayor.

3.5.B. *Appointments to Committees:* The Chair shall appoint and remove the members of committees, sub-committee and task forces.

3.5.C. *Chair as spokesperson:* In addition to the duties and powers set out elsewhere in these Bylaws, the Chair shall be the official and public spokesperson of the Commission. The Chair may designate another voting member of the Commission to act as the official and public spokesperson of the Commission as to a specified topic or issue. In no event shall the official and public spokesperson of the Commission represent a policy position or vote as being that of the Commission unless the Commission has formally approved such policy position or has formally taken such vote. The Commission Chair may execute documents or correspondence on behalf of the Commission, provided that the requirements of this paragraph are not violated.

3.6. *Duties of the Vice-Chair:*

3.6.A. *Forestry Budget:* The Vice-Chair shall provide leadership for the Commission in budgetary matters and shall serve as the Commission's primary liaison to the Bureau of Parks & Recreation's Budget Advisory Committee regarding the preparation and contents of the Annual Forestry Unit Budget Request.

3.6.B. *Annual Report:* Serve as the Commission's coordinator of the Annual Report.

3.6.C. In addition to the duties and powers set out elsewhere in these Bylaws, the Vice-Chair shall perform other duties as reasonably requested by the Chair.

3.7. *Duties of the Secretary:*

3.7.A. In addition to the duties and powers set out elsewhere in these Bylaws, the Secretary of the Commission shall be responsible for tracking action items voted upon

* See Appendix A for City Code provisions addressing this matter.

by the Commission to make sure that actions are accomplished or that circumstances preventing completion are reported back to the Commission.

3.7.B. *Annual Report*: Assist the Vice-Chair in production of the Annual Report.

3.7.C. *Bylaws*: Maintain the Commission's Bylaws including the filing of the Bylaws, and any amendments to them, with the office of the City Forester and the Portland Policy Documents repository described in City Code Chapter 1.07. Conduct an annual review and update of the Bylaws.

3.8. *Removal*: Any officer of the Board may be removed from office by a two-thirds vote of the membership of the Commission entitled to vote.

4. MEETINGS

4.1. *Scheduling*: In addition to the regular meetings mandated by City Code,* the Commission may meet more often at the call of the Chair.

4.2. *Place*: Commission meetings shall be held at City Hall, unless the Chair and the City Forester jointly designate an alternate location on special occasions.

4.3. *Cancelling/Rescheduling*: A scheduled meeting may be cancelled or rescheduled by Order of the Chair.

4.4. *Agenda*:

4.4.A *Preparation*: The Chair and Secretary, in consultation with the City Forester, shall determine the Agenda for each meeting, and may establish a formal process for setting the Agenda.

4.4.B. *Distribution*: Meeting agendas shall be prepared and distributed at least one week prior to scheduled Commission meetings in order to ensure that Commission members can be adequately prepared for meetings.

4.4.C. *Public notice*: The agenda shall be posted on the Portland Parks & Recreation Bureau website approximately one week prior to each meeting.

4.5. *Voting requirements*:

4.5.A. All official actions of the Commission must be taken by public vote.

4.5.B. A majority of the then-appointed voting membership of the Commission constitutes a quorum.

4.5.C. A quorum is required in order to hold a meeting and in order to transact Commission business.

* See Appendix A for City Code provisions addressing this matter.

4.5.D. In the presence of a quorum a majority vote of those present is sufficient to carry any motion, except for amendment of the Bylaws as specified in Article 6.

4.5.E. If a quorum is not present, members may engage in informal discussion of issues, but may not take official action or otherwise exercise the authority of the Commission.

4.6. *Procedures:*

4.6.A. At the discretion of the Presiding Officer and upon the request of any member in attendance as to any particular meeting, meetings of the UFC shall be conducted in accordance with a recent edition of *Robert's Rules of Order*.

4.6.B. The Presiding Officer shall determine all procedural questions by Order. Upon objection by at least two Commission members, any such Order shall be put to a vote of the Commission and shall be determined by a majority of those voting.

4.7. *Executive Sessions:*

4.7.A. The Commission may hold an executive session during any meeting, after the Presiding Officer has identified the authority under ORS 192.660(2) for holding an executive session. Appropriate reasons for holding an executive session include consultation with legal counsel concerning legal rights and duties, and consideration of information or records that are exempt from public inspection.

4.7.B. An executive session is closed to the general public, but representatives of the news media shall be allowed to attend.

4.7.B (1) The Commission may specify that certain information is not to be disclosed or is not to be published by the media.

4.7.B (2) "Representatives of the news media" means news-gathering representatives (reporters) of news media that ordinarily report activities of the body.

4.7.C. No action requiring a vote may be taken during an executive session. The vote must be made in public session.

5. COMMITTEES, SUBCOMMITTEES AND TASK FORCES

5.1. *Creation:* The Commission or Chair may appoint standing or ad hoc committees, subcommittees, task forces, and the Appeals Board to assist the Commission in carrying out Commission duties. The Chair makes the appointments to the committees, subcommittees, task forces, and the Appeals Board.

5.2. *Duration:* If such a body is not to be permanent, the Chair or Commission shall designate its duration.

* See Appendix A for City Code provisions addressing this matter.

5.3. *Standing Committees:* The following are standing committees of the Commission.

- Urban Forestry Appeals Board (see Appendix B);
- Heritage Tree Committee (see Appendix C);
- Nominating Committee (see Appendix D);
- Education and Outreach Committee (see Appendix E);
- Policy Committee (see Appendix F).

5.4. *Membership:* With the exceptions of the Nominations Committee and the Appeals Board, membership on these bodies is not limited to Commission members.

5.5 *Procedures:* Each Committee, subcommittee and task force (with the exception of the Appeals Board) shall determine its own rules of procedure and select a chair. Committees are encouraged to use rules of procedures similar to the Commission's and other committees whenever possible for consistency. Rules of procedure for each standing committee listed in section 5.3. will be filed in their corresponding Appendix as noted.

6. APPEALS

6.1. The Commission shall hear appeals as directed by the City Code.* The Commission will ordinarily delegate this task to the Appeals Board.

6.2. The Appeals Board shall select its chair and develop proposed rules of procedure. The rules of procedure are considered and approved by a majority vote of the membership of the Commission entitled to vote.

6.3. The approved rules of procedure for appeal hearings are set forth in Appendix B of these Bylaws.

7. AMENDMENT OF BYLAWS

Only a majority vote of the membership of the Commission entitled to vote may amend these Bylaws. The Secretary shall promptly file any amendments to the Bylaws with the City Forester and the Portland Policy Documents repository.

8. ADDITIONAL DOCUMENTS RELATED TO OPERATION OF THE UFC

Additional process documentation, procedures or directives from the Commissioner of Parks & Recreation or other City officials related to the operation of the UFC may be placed in Appendix G of these Bylaws.

* See Appendix A for City Code provisions addressing this matter.