

Portland Utility Review Board By-Laws

As Revised May 1, 2014
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1.1 Purpose

- (1) The purpose of the Board is to provide independent and representative review, on behalf of the Portland City Council and for the benefit of customers, of water, sewer, stormwater and solid waste issues which have significant impact on rates and customer service. The Board shall endeavor to complement – not duplicate – the activities of Council and the professional management of the involved offices and bureaus. The Board will make recommendations to the Council with the goal of ensuring, in setting rates and making related policy decisions, that the impact on customer classes is appropriately considered.
- (2) These By-Laws shall govern the meetings of the Board, its standing committees, the executive committee and any subcommittees.

1.2 Definitions

- (1) As used in the Board By-Laws, unless the context requires otherwise:
 - (a) “Chair” means the Chair of the Board
 - (b) “Vice Chair” means a duly elected Member of the Board by a majority vote of the Board who acts as the presiding officer in the Chair’s absence

- (c) “City” means the City of Portland, Oregon
- (d) “Council” means the Portland City Council
- (e) “Board” means the Portland Utility Review Board, as established by Portland City Code Chapter 3.123.
- (f) “Member” means a voting Member of the Board.
- (g) “Staff” means the personnel assigned to assist the Board by the Office of Management and Finance (OMF) and/or other offices of bureaus.

1.3 Meeting Agenda

- (1) Any person may request that an item be place on the agenda of the next regular meeting of the Board. Such a request from non-Members shall be subject to the approval of the Chair.
- (2) Staff shall place an agenda item suggested by a Member on the agenda of the next regular meeting of the Board subject to the ten day requirement stated under subsection (3).
- (3) All suggestions made under subsection (2) and request made under subsection (1) for agenda items shall be submitted to Staff, at least ten days prior to the next regularly scheduled meeting of the Board.
- (4) At its discretion, the Board may make changes, additions and deletions to the agenda at the beginning of each Board meeting.
- (5) Generally, the order of the agenda is as follows:
 - (a) Call to Order
 - (b) Introductions
 - (c) Approval of Board Minutes
 - (d) Approval of Agenda
 - (e) Report(s) from Staff
 - (f) Old Business
 - (g) New Business
 - (h) Member comments
 - (i) Public comments
 - (j) Adjournment

1.4 Notice

- (1) Staff shall mail or e-mail notice of regular meetings of the Board to Members and to interested news organizations, appropriate city bureaus and offices, affected governmental units, and interested persons on the notice distribution lists maintained by Staff under subsection (5) at least seven days prior to the meeting.

- (2) Staff shall give at least twenty-four hours notice to Members, news organizations which have requested notice, and the general public before a special meeting of the Board.
- (3) Notices of regular and special Board meetings shall contain the date, time, place and agenda of the meeting.
- (4) In case of an executive session, the notice shall state the specific provision of law authorizing the executive session.
- (5) Staff shall maintain four meeting notice distribution lists as follows:
 - (a) Interested news organizations
 - (b) Appropriate City bureaus and offices
 - (c) Affected governmental units
 - (d) Interested persons
- (6) Upon request, Staff shall add any person, agency, or organization to the appropriate distribution lists.

1.5 Meetings

- (1) The Board shall hold meetings at least once each month. Each standing committee shall meet on an as-needed basis. The executive committee shall meet on an as-needed basis.
- (2) No fewer than five voting Members of the Board shall constitute a quorum of the Board, as provided in Portland City Code 3.123.030.
- (3) All meetings of the Board, except executive sessions, shall be open to the public.
- (4) The Board may meet in executive session as permitted by Oregon law. The Board may not meet in executive session for the purpose of taking any final action or making any final decision. Prior to commencing an executive session, the Chair shall state the statutory authorization for the session.
- (5) Upon approval by the Board, interested persons may present oral or written testimony on any agenda item at a Board meeting. The Chair may establish such reasonable limitations on testimony as the Chair deems necessary.
- (6) In the event that persons engage in disrespectful or disorderly language or conduct in connection with any meeting, such conduct shall be grounds for exclusion from such meeting by the Chair. The Board, in its discretion, may review exclusion by the Chair.

1.6 Committees and Vice Chair

- (1) There shall be four standing committees of the Board including a Water Bureau Committee, Bureau of Environmental Services Committee, Bureau of Planning and Sustainability Committee, and the Membership Committee. The Board may establish other committees as it deems appropriate through amendment of these By-Laws.
 - (a) Standing committees shall be comprised of at least three Board members appointed by the Board as a whole. In making such appointments, the Board shall, to the greatest extent reasonable, consider the expressed preferences of Board members for service on each committee.
 - (b) Standing committees shall operate, in general, as investigative agents of the Board to gather information and make recommendations for Board action within each committee's substantive purview in such a manner as the Board may direct.
 - (c) There is no quorum requirement for Standing Committees and, although consensus is encouraged, each member of each committee may make such recommendations to the Board as he or she deems proper.
- (2) The Board Chair and the Vice Chair as well as Council liaisons to the Board will serve as the Board's executive committee. The executive committee will facilitate on-going communication between the Board, Council, Staff, and the involved offices and bureaus.
 - (a) Any Member of the Board may attend executive committee meetings.
 - (b) The Board may designate more specific roles and responsibilities for the executive committee and any standing committee from time-to-time.
- (3) The Vice Chair shall serve in the Chair's absence and carry out other duties that may be assigned by the Board or its Chair.

1.7 Voting

- (1) Each voting Member shall be entitled to one vote. All official actions shall be taken by public vote. The vote of each Member shall be recorded.
- (2) Board action shall require at least five affirmative votes to pass.

1.8 Attendance

- (1) If any Member of the Board is absent more than three regularly scheduled meetings of the Board during any twelve-month period, without having notified the Chair or designated staff in advance of such absence, such Member shall be deemed to have resigned from the Board.

- (2) Beyond the “automatic registration” clause in (1), Members are expected to be present at all regularly scheduled meetings. If multiple or successive absences occur, regardless of whether or not the Chair was notified, the Mayor’s office will assess the impact those absences have on the proceedings of the Board. If a change is necessary, the Mayor’s office will work with the Chair to either increase a Member’s attendance or find a replacement for that Member.

1.9 Minutes

- (1) Staff shall tape all Board meetings and shall write minutes summarizing the actions taken at all Board meetings.
- (2) Meeting minutes shall include the following information, at a minimum:
 - (a) Members present
 - (b) Motions, proposals, resolutions, and measures proposed and their disposition
 - (c) Results of all votes and the vote of each Member by name
 - (d) The substance of any discussion on any matter and a reference to any documents discussed at the meeting
 - (e) Any verbatim remarks if requested by a Member

2.0 Priorities

- (1) Accommodating Council’s rate-setting schedule will require consistent focus, establishment of priorities among existing and future issues, and the annual development of a PURB calendar that will support the City’s budget process. The Board anticipates limiting the lineup of issues that it examines at any one time. The issues lineup will be reviewed periodically. A completion date will be appended to each issue examination.

2.1 Opinions

- (1) The Board shall develop a protocol upon which all Board actions and opinions will be based.
- (2) Upon completing the examination of an issue, the Board shall consider notifying Council, either in writing, orally, or both of its findings and recommendations, if any.
- (3) The Board shall attempt to issue opinions that are timely and useful to the Council.

2.2 Communications and Information Requests

- (1) The Chair shall represent the Board before the council and serve as the primary liaison between the Council, City offices and bureaus, and the Board.
- (2) Members of the Board may testify on behalf of the Board or otherwise represent it as approved by the Chair.
- (3) Outside of regular or special Board meetings, requests for information from the Council or the City's offices and bureaus shall be coordinated through the Chair or Vice Chair. Any disputes related to information requests shall be resolved by a Vote of the Board.
- (4) The Chair shall serve as the official spokesperson for the Board in communications with the media. No Member of the Board shall represent Board positions to the media without first consulting with the Chair.
- (5) Nothing in this section is intended to prevent or otherwise restrict a Member of the Board from expressing his or her personal views on any subject in any forum.

2.3 Annual Report and Work Sessions

- (1) By September 30 of each year, the Board shall prepare and submit to the Council an annual report summarizing the work performed by the Board during the previous fiscal year (July 1 through June 30). The annual report shall include, but need not be limited to, a summary of issues reviewed and analyzed; a list of briefings and reports received from staff, outside experts and other informed parties; a summary of recommendations forwarded to the Council; and a summary of Council action on the recommendations.
- (2) Upon the completion of each annual report, the Board shall participate in a work session with the Council. The purpose of this work session is to present the annual report and to create a work plan for the upcoming year.
- (3) Other work sessions may be requested by the Board or by Council as needed.

2.4 Construction and Waiver of Rules

- (1) These rules of procedure shall be liberally construed to secure just, speedy and cost-effective opinions by the Board.
- (2) For good cause shown, the Board may deviate from or waive any of the Board's By-Laws as deemed appropriate.
- (3) "Robert's Rules of Order" shall be considered authority in deciding questions arising on points of order not otherwise covered by these By-Laws.

2.5 PURB Member Re-Appointments

- (1) PURB members seeking re-appointment following term limits or leaving in mid-term must wait one year before applying for a vacant PURB position for which they meet the requirements.