



BYLAW TEMPLATE FOR CITY ADVISORY BODIES

Portland Freight Advisory Committee

- I. **Body created on September 10, 2003, by Council Resolution #36167**

Mission

Support and enhance the economy of the City of Portland by advancing a balanced and well-managed multi-modal freight network.

A. Purpose

The purpose of the Portland Freight Advisory Committee (PFC) is to advise the City Council and all city departments on matters relating to the multi-modal freight network.

The committee shall:

- Serve as a forum for discussion, an opportunity for joint action, and a source of knowledge and advice for City transportation decisions affecting freight mobility.
- Promote the cross-sharing of information between private and public sectors on multi-modal freight issues.
- Advocate for broad city goals, along with, the importance of freight mobility to the economic well-being of Portland and the region.
- Champion a sound multi-modal freight and goods delivery network.
- Participate with other freight advocacy groups at the state, regional and local level.
- Inform and advise City transportation decisions on policy, planning, and projects.

The roles and responsibilities of the committee shall include but are not limited to:

Policy Development

- a. Advise in the development and update of the Freight Master Plan for the City of Portland.
- b. Review and make recommendations on City planning efforts that affect the multi-modal freight system network. These efforts shall include but are not limited to Comprehensive Plan updates, Transportation System Plan updates, Community Plans, area-wide Development Plans, and Corridor Plans
- c. Monitor policy development activities of other local jurisdictions, Port of Portland, Metro and the State as they affect the movement of freight and the multi-modal freight network in the City.

Implementation

- a. Review plans and make recommendations on Capital Improvement Projects developed by the City and/or outside agencies that impact the City's multi-modal freight network to ensure that adequate consideration is given to the needs of freight movement.
- b. Review and make recommendations regarding project-funding priorities for the multi-modal freight network in the City.

B. Sponsor Bureau: Transportation

C. Bureau liaison/title: PBOT Freight Planning Coordinator

D. Advise to

City Council

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 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

Committee meetings are held each month on the first Thursday of the month, unless otherwise agreed upon. The Committee Chairs shall determine time and duration of the meeting. There will be 12 regular monthly meetings per year, unless otherwise noted due to holidays.

IV. Membership and Term

Members of advisory bodies are public officials. They should become familiar with rules and responsibilities described at the "Oregon Government Ethics Law - A Guide for Public Officials" (Oregon Government Ethics Commission).

A. Composition of Committee

- a. The membership of the Committee shall consist of no more than 35 members with full standing.
- b. Membership in the Committee shall be open to any representative or employee of a Multi-modal Freight Service Provider, Shipper, Trade Association, business related to multi-modal freight activities, and community members experienced and/or interested in multi-modal freight issues. Committee membership shall also include other individuals and groups involved in multi-modal freight, industrial land use, and related economic and business development activities. Members should be interested in advocating for broad city goals.

- c. In addition to the general membership requirements, the Committee should seek to enhance diversity of freight interests by ensuring its membership draws from all of the freight modal areas including trucking, rail, maritime, air, and pipeline. In addition, membership should represent a cross-section of industrial and employment areas in the City.

B. Terms

- a. Members shall serve for a two-year term. Terms begin September 1st and terminate August 31st.
- b. Bureau staff liaison will review membership status annually.

C. Term Limits

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

Members interested in continuing service beyond eight years must sit out for two years (if the body does not have set terms)

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.

D. Quorum

Simple majority: 50% plus 1 or greater number of seats

E. Voting

Members shall have one vote each to cast during attendance at any general or special meeting.

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.

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.
- Meetings will be conducted to foster collaborative decision-making using Consensus Decision Making (including Modified Consensus Decision Making). This still requires a quorum and a final vote.

VI. Removal of Members and Resignations

- A. All members serve at the pleasure of the Elected-in-Charge of the Bureau or Bureau Director and may be asked to resign or be removed at the Elected-in-Charge or Director's discretion at any time unless authority 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 must complete the Resignation Form and Exit Interview to be submitted to City staff liaison.

VII. Officers and Subcommittees

Committee Chairs:

- a. There shall be a Chair and Vice Chair for the Committee.

Terms of Chair Position:

- a. Each Chair shall serve a two-year term. Terms begin January, ending December of the following year.
- b. Chairs and Vice Chairs will be selected by the Commissioner with the advice of the Committee.

Nominations:

- a. A nominating subcommittee shall be formed biannually at the October meeting to select a Committee Chair and Vice Chair. The subcommittee shall report at the November meeting. Additional nominations from the floor shall be permitted at the November meeting. Elections shall be held at the December meeting.
- b. Chairs shall be elected by ballot of members present.

The designated leadership shall be responsible for conducting the meetings. A presiding officer will be designated at all times. The designated leadership may look to Bureau 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 will also serve as liaison between the members of the Body and the City. In consultation with the Bureau liaison, the designated leadership will develop meeting agendas, establish subcommittees if needed, and ensure an efficient advisory process.

Committee Values

The committee will be:

- Inclusive in deliberations;
- Respectful of various interests in public rights-of way;
- Make informed decisions based on technical and programmatic input;
- Reach consensus whenever possible.

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

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. The subcommittees will report back to the full committee when a vote is required.

VIII. Communications

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

- Advisory body members are required to notify City staff liaison of verbal and written

communications on behalf of the Portland Freight Committee with elected officials, interest groups and all communications with media. Members are required to copy the City staff liaison on all written communications from/to elected officials and 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 the Chair and/or full Body as appropriate. The City staff liaison will be copied on invitations to elected officials to attend PFC meetings.

- On rare occasions, some advisory bodies may ask or be asked to write position letters to external groups or governments in support or opposition of policy issues that are relevant to the purpose and scope of the Body. This is accomplished by first proposing the position to the Staff Liaison to the advisory body. The Staff Liaison and/or bureau leadership must work with PBOT's liaison to the Office of Government Relations if the external communication is with a regional, state, federal or tribal government according to PBOT procedures. This process is required in accordance with Administrative Rule 3.01, which establishes the Office of Government Relations as the central coordinating body for this external intergovernmental outreach.

IX. Public Meetings and Records

Meetings of the full body and subcommittee meetings are open to the public and will be conducted under the provisions of Oregon Public Meetings Law (ORS 192.610-690). The Bureau liaison will provide notice to the public regarding the dates, times, and locations of all meetings:

- Regular meetings:
 - Best practices: at least one week,
 - Minimum requirement: at least 48 hours,
- Special meetings: at least 24 hours.

Per ORS 192.670(1), advisory body members can participate through telephonic conference calls. Requests for any other electronic communication means require approval from the Bureau liaison with City Attorney consultation. All records of the Body, including formal documents, discussion drafts, meeting summaries, and exhibits are public records. Communications among members related to the subject matter of this Body should not be treated as confidential and may be subject to public records requests. "Communications" 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 to be 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 e-mail, as public participation needs to be guaranteed through that process.

X. Amendment of Bylaws

The Body may vote to recommend to the Elected-in-Charge amendment or repeal of these Bylaws. The Bureau may also recommend changes to the Elected-in-Charge. The Elected-in-Charge must sign off on original bylaws and any amendments to the bylaws. Members have no authority to amend bylaws without approval.

Original Bylaws Created by: Robert Hillier, PBOT Staff Liaison, on January 22, 2020

Approved by: _____, on _____.
(Bureau Director) (date approved)

Approved by: _____, on _____.
(Elected in Charge) (date approved)

Amended: _____, on _____.
(name, title) (date amended)

Approved by: _____, on _____.
(Elected/Bureau Director) (date approved)

Amended: _____, on _____.
(name, title) (date amended)

Approved by: _____, on _____.
(Elected/Bureau Director) (date approved)