



**BOARD OF DIRECTORS
MEETING AGENDA**

Date: Monday, August 17, 2020

Time: 6:00 p.m.

Location: Virtual Meeting (via Zoom)

<https://clackamascounty.zoom.us/j/99287459263?pwd=YklxU0FZYXpvSGxUeDhQem0vSnV2UT09>

Phone: Any of 346-248-7799; 408-638-0968 or 669-900-6833. Webinar ID: 992 8745 9263

I. CALL TO ORDER

- Roll Call
- Pledge of Allegiance

II. PUBLIC COMMENTS – NCPRD ITEMS NOT ON AGENDA

(The Chair of the Board will call for statements from people regarding issues relating to District governance. It is the intention that this portion of the agenda shall be limited to items of District business which are properly the object of Board consideration and may not be of a personal nature. Testimony is limited to three (3) minutes. Comments shall be respectful and courteous to all.)

III. DISCUSSION ITEM

(The following item will be individually presented by District staff or other appropriate individuals. Persons appearing shall clearly identify themselves and the department or organization they represent. In addition, a synopsis of each item, together with a brief statement of the action being requested shall be made by those appearing on behalf of an agenda item.)

1. North Clackamas Parks & Recreation District Advisory Board By-Laws Update
 - a. Staff Update
 - b. Public Comments
 - c. Board Deliberation

IV. DISTRICT ADMINISTRATOR/DIRECTOR COMMENTS

V. BOARD COMMENTS



August 17, 2020

North Clackamas Parks and Recreation District Board of Directors

Members of the Board:

NCPRD District Advisory Board By-laws Update

Purpose/Outcome	<ol style="list-style-type: none"> 1. Review NCPRD District Advisory Board by-laws update process 2. Provide opportunity for public input to the Board regarding NCPRD by-laws update 3. Deliberate and provide direction to staff and/or DAB regarding completion of by-laws update process
Dollar Amount and Fiscal Impact	N/A
Funding Source	N/A
Duration	N/A
Previous Board Action/Review	<ul style="list-style-type: none"> • April 9, 2019 – BCC Issues and Updates • May 16, 2019 – NCPRD Board meeting
Strategic Plan Alignment	<ul style="list-style-type: none"> • <i>Promote Equity, Diversity, and Inclusion</i> via DAB recruitment and composition. • Provide economic development, public spaces, and community enrichment services to residents, business, visitors, and partners so they can thrive and prosper in healthy and vibrant communities. • <i>Build Public Trust through Good Government</i> by working with the DAB as a conduit to the residents of NCPRD.
Counsel Review	N/A
Procurement Review	<ol style="list-style-type: none"> 1. Was the item processed through Procurement? No 2. If no, provide brief explanation: Discussion item, not related to procurement.
Contact Person	Scott Archer, NCPRD Director 503-742-4421 Laura Zentner, BCS Director 503-742-4351
Contract No.	N/A

BACKGROUND:

Due to legal complexities and uncertainties created by the City of Happy Valley initiating withdrawal efforts in early 2017, the Board of County Commissioners, in its capacity as the NCPRD Board of Directors (Board), made the decision to suspend the regular meetings of the North Clackamas Parks and Recreation District Advisory Board (DAB). Because it took over two years for the matter to be resolved, DAB meetings were not held between March 2017 - July 2019. On May 16, 2019, the Board directed staff to reconvene and resume meetings of the DAB. The Board directed that the DAB revise its by-laws and composition. In particular, the Board expressed a need for the DAB's composition to more accurately represent the proportionality of unincorporated and city residents of the district.

The DAB reconvened regular monthly meetings beginning in July 2019. With the facilitation support of Clackamas County Resolution Services, the DAB worked on reviewing and updating its by-laws over the course of several months. The DAB last met on February 12, 2020. Following this meeting, it was determined that the Board would hold a special meeting for the purpose of reviewing the progress of the by-laws update by the DAB, receiving community input on this process, and providing direction on completing the process. The Board directed that the DAB not meet again until after this special NCPRD Board meeting was held. This special Board meeting was scheduled for March 16, 2020 at the NCPRD Concord property. Unfortunately, it became necessary to cancel this meeting due to the emerging issues related to the COVID-19 pandemic. Because of scheduling and prioritization issues, this meeting was not able to be rescheduled until today's date.

In the time that has passed since the last DAB meeting, several of the positions on the committee have become vacant. There are currently 7 vacancies of the 9 total positions within the current by-laws. The majority of these vacancies are due to expired terms. In addition, due to the withdrawal of Happy Valley from the District now being complete, we will not fill the two positions representing the city. Thus, we will be recruiting for the 5 remaining vacancies as described in the current DAB by-laws. As with all County Advisory Boards and Committees, this recruitment is an open and inclusive process. The recruitment advertisement opened July 23 and will close August 31. The DAB will not have a quorum until the vacant positions have been filled.

While the DAB made significant progress on drafting updated by-laws, the committee's work was unable to be completed due to the discontinued meetings. The DAB membership composition has been the most substantial issue in updating the by-laws. In particular, there have been differing opinions on whether to have elected officials serve as voting members of the committee. The DAB discussed balancing many elements to create a representative advisory group, including proportional representation by population for city residents and unincorporated members, the role of elected officials (City and County) on the DAB, and the representation of traditionally underserved populations including both geographic and demographic factors. After lengthy discussions regarding the concerns for each of those individual elements, a membership proposal was made by the DAB, as outlined in the chart below.

The Milwaukie City Council discussed the DAB recommendation at a meeting in January 2020. At this meeting, the City expressed concerns regarding unincorporated positions being at-large versus being geographically distributed. Milwaukie's support of any by-laws change is important,

as the composition of the DAB is bound, in part, by NCPRD's Intergovernmental Agreement (IGA) with the City. This IGA with Milwaukie originated in 1992 and was last amended in 2008. Modification of the DAB composition will require an updated amendment to the IGA.

The topics of geographic representation and revisions to the Master Plan were unaddressed after the last DAB meeting in February 2020. The DAB proposal contains a position to represent the "most severely underserved" portion of the district. Discussions as to how this would be defined were based on language in the current Master Plan. There was lack of clarity around how this would continue to be defined in the future, as the Master Plan is updated or revised.

Given the above, combined with subsequent Board discussion, staff is presenting an additional DAB composition proposal for consideration. The main differences in the staff versus the DAB proposal, are the addition of the unincorporated positions being distributed by geographic area versus begin at-large positions. The purpose of this is to ensure more equitable representation from all areas of the district. The geographic areas are based on existing Community Planning Organization (CPO) boundaries within NCPRD's boundaries. The use of the CPO boundaries are intended to be for geographic representation purposes only and not to have the CPO's appoint these members. The other notable difference in the staff proposal is the BCC member serving in a liaison position versus as a voting member, as is the case in the current by-laws. Aligning the positions with the geographic areas in a more proportional manner, along with changing the Board position to a liaison, reduces the total members to nine versus the eleven in the DAB proposal.

The graphic on the following page is a summary comparison of the current by-laws, the DAB proposal, and the alternate staff proposal.

	Existing Bylaws 9 Members	DAB Proposal 11 Members	Staff Proposal 9 Members
City of Milwaukie	1 or 2 Voting Members Can be elected or non-elected	2 Voting Members 1 City Councilperson 1 Non-elected resident	2 Voting Members 1 City Councilperson 1 Non-elected resident Appointed by City Council
City of Happy Valley	1 or 2 Voting Members Can be elected or non-elected	None City withdrawal from NCPRD complete	None City withdrawal from NCPRD complete
Unincorporated Residents	4, 5, or 6 Voting Members At least (2) each from east and west of I-205	7 Voting Members (6) At Large (1) from most "Severely Underserved" area as identified in Master Plan	6 Voting Members By geographic boundary (2) Oak Grove Community Council (1) Jennings Lodge CPO (1) Clackamas CPO (1) Southgate CPO (1) Sunnyside/West Mt. Scott CPO
Community Center	1 Voting Member	1 Voting Member	1 Voting Member
District Board/ BCC	1 Liaison	1 Voting Member	1 Liaison

In addition to the proposed changes to the DAB membership, the DAB reached agreement to amend the by-laws to propose a new system for nominating members as follows:

Recommendations for appointment to the DAB will be made by a subcommittee, which includes:

- a. 2 Clackamas County staff
- b. 2 members of the DAB
- c. 2 representatives of Community Planning Organizations within the District

The nominating subcommittee would be charged with evaluating and nominating residents with an intent for DAB membership to reflect the diversity of residents of the District, including but not limited to geography, age (senior and youth), disabled, low income, immigrant/refugees, BIPOC, and LGBTQ+.

There is additional by-law update work that the DAB was not able to complete, due to discontinuation of meetings. As part of any Board direction or recommendation, either the DAB or staff will need to finalize and complete the update of the entirety of the by-laws.

RECOMMENDATION:

1. Receive public input.
2. Review options as presented, and provide direction regarding completing the DAB structure and by-laws update.

ATTACHMENTS:

1. District Advisory Board current by-laws
2. CPO boundary & population map

Respectfully submitted,

Laura Zentner

Laura Zentner, Director
Business and Community Services

**North Clackamas Parks and Recreation District Advisory Board
BYLAWS**

ARTICLE I

NAME. The name of this board is the North Clackamas Parks & Recreation District Advisory Board (DAB).

ARTICLE II

BOUNDARIES. The boundaries of the North Clackamas Parks & Recreation District Advisory Board (DAB) shall be the same as those established by North Clackamas Parks & Recreation District within Clackamas County.

ARTICLE III

PURPOSE. The purpose of the DAB is to advise the North Clackamas Parks & Recreation District Board (District Board) on the design, planning, and development of parks and facilities within the district and to advise the District Board on programs, maintenance and operations; to meet with the District Board once yearly; and to publish an annual report presented each August.

GOALS. The goals of the DAB are as follows:

- a) The DAB's will address the programs and facilities of the North Clackamas Parks & Recreation District concentrating on the challenges, desires and needs of the district residents;
- b) Make policy-level recommendations regarding capital improvements, programs, maintenance, and operations to be approved by the District Board.
- c) During the annual budget process the DAB will provide budget recommendations for the operation and maintenance of the North Clackamas Parks & Recreation District, and in addition, the DAB will identify and prioritize necessary capital projects and provide project recommendations to the District Board. The recommendations for maintenance and operations, and capital improvements shall be reviewed by the District Budget Officer, who will then forward their recommendations to the North Clackamas Parks & Recreation Budget Committee. The North Clackamas Parks & Recreation Budget Committee will then submit recommendations to the District Board.

ARTICLE IV

MEMBERSHIP. The DAB shall consist of Nine (9) members. The District Board shall appoint all members. Membership shall not be limited by race, creed, color, sex, age, heritage, national origin or income. All members must be residents of the district.

- a) As set forth in the IGA's between NCPRD and the Cities of Milwaukie and Happy Valley, the nine member board representation will be as follows:
 - a. 2 members from east of I-205 (one of which may reside in the City of Happy Valley)
 - b. 2 members from west of I-205 (one of which may reside in the City of Milwaukie)
 - c. 1 member from the City of Happy Valley*
 - d. 1 member from the City of Milwaukie*
 - e. 1 member from the Milwaukie Center**
 - f. 2 members at large (1 from East and 1 from west of I-205)

**District Board agrees to appoint both a primary and an alternate representative nominated by the City Council to fill the City's representative seat unless there is good cause for rejecting the nomination.*

***District Board agrees to appoint both a primary and an alternate representative nominated by the Milwaukie Center Community Advisory Board (C/CAB) to fill the Milwaukie Center representative seat unless there is good cause for rejecting the nomination.*

- b) The DAB composition will be revisited and adjusted, in the event of significant District boundary changes or major population changes.
- c) Terms are for a period of four fiscal (4) years, beginning on July 1st of the first fiscal year and ending on June 30th of the fourth fiscal year. Board terms will be staggered among the nine DAB members. At the end of each four (4) year term, DAB members, who are not partner city appointees and who wish to continue their service for a second term, will need to participate in the recruitment process used to fill all vacancies and may be reappointed by the District Board. The seven (7) representatives of the District zones plus the representative from the Milwaukie Center, may serve a maximum of two consecutive terms. Representatives may reapply for vacancies on the committee following a four (4) year break in service (one full term).

The two (2) partner cities of Happy Valley and Milwaukie, may choose to reappoint their designees for both the primary and alternate positions, or submit new representatives for District Board approval. All recurring four (4) year terms require District Board approval, however there are no limits on terms served for partner cities.

- d) Vacancies are filled in the same manner as the original appointments and for the unexpired term of the vacant position. In the event a "primary" representative from one

of the three (3) appointed partner organizations is unable to complete their term, the “alternate” will be designated to fulfill the remainder of the term.

- e) Upon failure of any member to attend two consecutive meetings without a valid excused absence, the DAB may recommend termination of that appointment to District Board, and the District Board may remove the incumbent from the DAB and declare the position vacant to be filled in the manner of a regular appointment. A valid excused absence requires that the DAB member notify a DAB officer or North Clackamas Parks & Recreation District staff member prior to the meeting to be missed except for the case of an emergency.
- f) All DAB members shall serve without compensation.

ARTICLE V

OFFICERS & STAFFING. The officers and staffing of the DAB shall include the following:

- a) **Chairperson.** The chair person shall have general supervisory and directional powers over the DAB. The chair person shall preside over all DAB meetings, assist the NCPRD Director with setting the DAB Meeting agendas, and establish committees and appoint committee chair persons. The chair will serve as the DAB representative in meetings with the District Board or at various community meetings when appropriate, or if unable to serve that role will appoint a representative from among the DAB members. The chair will also serve as the official spokesperson for the DAB whenever there is an issue or statement required when it is appropriate for the DAB to make that response or statement;
- b) **Vice-Chairperson:** The vice chair person shall execute all powers of the chair person in the absence of the chair person;
- c) **Secretary:** The secretary shall maintain minutes and attendance records of business meetings. Additionally the secretary will initiate the recruitment process to fill vacancies upon term expirations. The secretary position is neither elected nor appointed but rather filled by the parks director administrative staff support.
- d) **District Board Liaison:** The District Board may elect to appoint a liaison/liasons to the DAB in an ex-officio capacity with no voting powers or rights but who has the authority to speak on behalf of the District Board and to participate in discussions about actions under consideration for recommendation to the District Board. The liaison is present as a representative of the District Board and not as an individual party

The DAB shall provide the County Public and Government Affairs Department with a current list of officers.

SELECTION OF OFFICERS. The officers shall be selected by the DAB membership by simple majority vote. Elections shall be annually as the first order of business at the first DAB meeting

of the fiscal year in July. The outgoing chair will conduct the election, and immediately following results, turn the meeting over to the newly elected chair.

TERM OF OFFICE. The term of office for all officers shall be one (1) year, however, the officer shall continue to serve until a successor is elected or appointed to that office. Officers may be re-elected and may serve a maximum of two consecutive terms.

VACANCIES. A vacancy occurs when an officer dies, resigns, is removed, or has more than three (3) unexcused absences from meetings during a calendar year. The person appointed to fill the vacancy shall serve the remainder of the unexpired term and until a successor is elected or appointed to that office.

ARTICLE VI

MEETINGS. The DAB shall meet at least once each month (a “regular meeting”). All meetings shall be subject to the requirements of the Oregon Public Meetings Law.

Special meetings may be called by any two DAB Members and a residing Officer. Only business specified in the agenda for the special meeting may be considered. Notice of all meetings shall be provided as required by ORS 192.640 of the Oregon Public Meetings Law. Minutes of all meetings shall be kept and shall be available for public inspection as required by ORS 192.650 of the Oregon Public Meetings Law. A copy of all meeting minutes shall be provided to the County Public and Government Relations Office.

QUORUM and VOTING. Fifty-one percent of the voting membership of the DAB shall constitute a quorum. The concurrence of a majority of the DAB members present shall be required to decide any matter.

RECORDS. All records of the DAB shall be subject to disclosure except as allowed by exemptions of the Oregon Public Records Law.

ARTICLE VII

HEARING PROCESS AND PROCEDURE. The principles of parliamentary rules of procedures such as Robert’s Rules of Order shall govern proceedings at any meeting of the DAB. The Chair shall be guided by these principles in deciding any procedural questions. The Chair’s decision on procedural matters may be overruled by a majority of the members voting on the question. The DAB may establish a more detailed hearing procedure to provide for an orderly process for holding a public hearing. All meetings shall comply with the Oregon Public Meetings Law.

ARTICLE VIII


COMMITTEES. The chair may appoint special committees or ask the DAB to appoint special committees on issues or topics where a committee is deemed to be needed or appropriate.

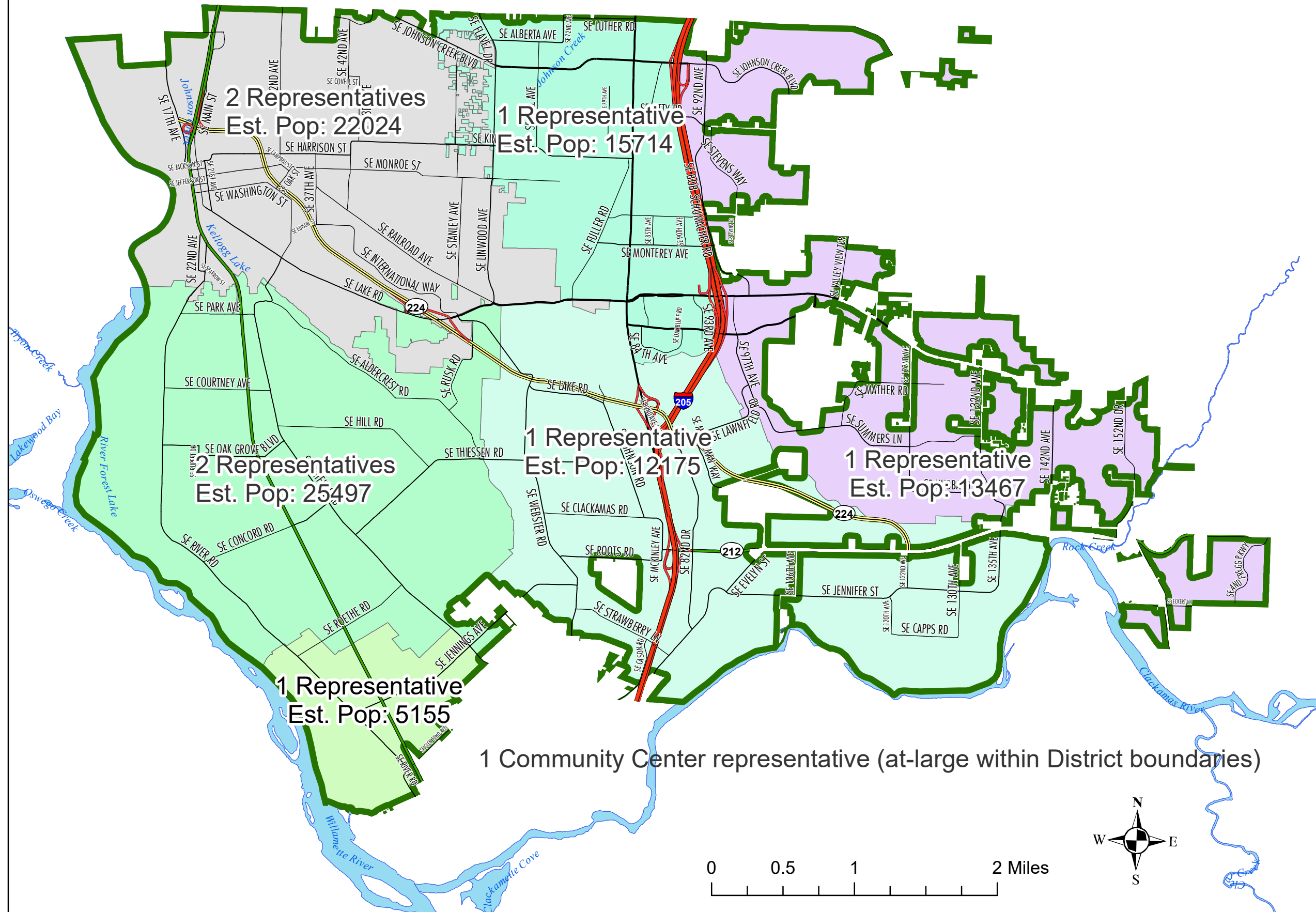
ARTICLE VIII

AMENDMENTS. Bylaws may be amended at any regular DAB meeting providing written notice of the proposed amendment is submitted at a prior, regular meeting. In order to be effective such amendments must also be approved in writing by County Counsel and further submitted to the District Board for final approval.

The amended bylaws shall supersede all previous bylaws and become the governing rules for the DAB.

North Clackamas District
Advisory Board Members

 North Clackamas Parks
and Recreation District



GEOGRAPHIC INFORMATION SYSTEMS

DEPARTMENT OF INFORMATION SERVICES/GEOGRAPHIC INFORMATION SYSTEMS
121 LIBRARY COURT
OREGON CITY, OREGON 97045

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