

# **Bylaws of Clackamas County Community Roads Advisory Committee Sept. 11, 2019**

## **ARTICLE I**

**NAME.** The name of the organization shall be the Community Road Fund Advisory Committee.

## **ARTICLE II**

**BOUNDARIES.** The boundaries of the Community Road Fund Advisory Committee shall be the same as those established by Clackamas County. These boundaries take into account natural boundaries, commercial patterns, community organizations and historic factors.

## **ARTICLE III**

**PURPOSE.** The purpose of the Community Road Fund Advisory Committee is to serve the residents within the boundaries of Clackamas County in matters concerning the use of community road funds, which come from the county-wide vehicle registration fee that became official on May 23, 2019.

**GOALS.** The goals of the Community Road Fund Advisory Committee are as follows:

- a. Involve area residents in the use of community road funds.
- b. Provide a line of communication between area residents and the Board of County Commissioners, and other public bodies.
- c. Act as an advisory board to the Department of Transportation & Development and the Board of County Commissioners on matters affecting the use of community road funds within the boundaries of Clackamas County.
- d. Work with county staff to:
  - a. Develop criteria to analyze potential capital congestion relief projects to be funded with countywide vehicle registration fee revenue
  - b. Apply that criteria to the high priority congestion relief projects in the County's Transportation System Plan (TSP) and to any additional top priority congestion relief projects that result from community input in order to identify and prioritize the congestion relief projects to be funded with the vehicle registration fee revenue.
  - c. Based on the evaluation, recommend the order in which capital projects should be constructed.
  - d. Review the project list annually and report progress to the Board of Commissioners.

## ARTICLE IV

MEMBERSHIP. Membership shall consist of 15 people and shall be as representative as possible of the geographic, demographic and philosophical entities of the county.

- a. Members of the Community Road Fund Advisory Committee shall be selected from a pool of applicants solicited, received and appointed by the Clackamas County Board of County Commissioners. Membership shall be open to anyone 18 years of age or older who is a resident of the county, a property owner within the county, or a designated representative of a business, corporation, or trust within the county.
- b. Membership shall not be limited by race, creed, color, sex, age, heritage, national origin or income.
- c. Members shall be chosen as much as possible to fill the following positions:
  - 8 based on geography (one for each area of unincorporated Clackamas County with proposed capital projects)
  - 4 representing the business community throughout unincorporated Clackamas County
  - 1 representing people with disabilities
  - 1 representing equity
  - 1 representative from the Traffic Safety Commission
- d. Members shall have an appointment term of three years which shall expire on June 30. Expiration dates for the terms shall be staggered so that no more than one-third of the members' terms will expire in any year. For this purpose, membership terms may initially be staggered for less than three years. In its first two years, there will be five members with one-year terms and five members with two-year terms. Other members, and all members after the first two years, shall serve a three-year term. Members may seek reappointment for a maximum of two consecutive terms. Current members seeking a new term on the Community Road Fund Advisory Committee shall submit an application at least 90 days prior to the expiration of their current term.
- e. Vacancies shall be filled through the process established by the Clackamas County Board of Commissioners for Advisory Boards and Commissions.
- f. Three or more consecutive unexcused absences from regularly scheduled committee meetings will be grounds for removal of any committee member. Irregular attendance, failure to accept adequate functional membership responsibility, or disruptive attitude toward specified goals of the committee may also be considered as a basis for release from membership on the committee. Before any member is considered for release for any reason, they will be given the opportunity to present their appeal for retention. The committee as a whole, working with the staff liaison, will decide whether to retain a member.

## ARTICLE V

**OFFICERS.** The officers of the Community Road Fund Advisory Committee shall include the following:

- a. **Chairperson.** The Chairperson shall preside over all meetings of the Community Road Fund Advisory Committee and shall act as a point of contact between County officials and the Committee.
- b. **Vice-Chairperson:** The Vice-Chairperson shall aid the Chairperson and perform the duties of the Chairperson in his/her absence or disability.
- c. **Secretary:** County staff will perform the duties of secretary, including keeping accurate records of all meetings, handling correspondence and maintaining the membership registry required by these bylaws. The minutes shall be made available to any member or the public as required by the Oregon Public Records and Meetings Law.

The Community Road Fund Advisory Committee shall provide the County Public and Government Affairs Department with a current list of officers.

**SELECTION OF OFFICERS.** The election of officers shall be held annually at the first regular meeting of the fiscal year. The current chair shall announce the matter of the upcoming election during the last meeting of the fiscal year. Nominations for the offices may be made at that time. Nominations may also be made at the elective meeting. If no person receives a majority vote for election on the first ballot, the two receiving the highest number of votes will be considered on a second ballot.

Members shall assume their duties immediately upon election to office. All members are eligible for election to officer positions. The Chairperson shall not vote for an officer except in the event of a tie when the Chairperson shall cast the deciding vote. Proxy votes shall not be allowed.

**TERM OF OFFICE.** The term of office for all officers shall be one year, however, the officer shall continue to serve until a successor is elected or appointed to that office.

**VACANCIES.** A vacancy occurs when an officer dies, resigns, is removed or has more than three unexcused absences from meetings during a calendar year. A vacancy shall be filled by appointment by the Board of County Commissioners. 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.** Meetings of the Community Road Fund Advisory Committee shall be held in accordance with the Oregon Public Meetings Laws. Meetings shall be held no less than twice per year, usually in the Development Services Building in Oregon City, at a

time and place designated by the chair of the committee. The secretary shall ensure that appropriate notice is provided to all interested persons and agencies.

The Chairperson may call special meetings at any time upon the request of two of the officers or any five members of the Community Road Fund Advisory Committee.

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.** A quorum shall be present at a meeting in order for the Committee to transact business. A quorum of the membership shall consist of a majority of the membership. Members must be present to form a quorum and conduct official business. A vacancy on the board does not affect the quorum requirements. A simple majority of the committee members present shall provide the deciding vote on any subject brought before the committee. The chair or presiding officer shall only vote in the case of a tie vote.

Any member who anticipates in advance an absence from a regularly scheduled committee meeting should report that possibility to the staff liaison of the committee.

**RECORDS.** All records of the Community Road Fund Advisory Committee 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 Community Road Fund Advisory Committee. 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.

**MEETING CONDUCT.** The rules contained in the most current edition of *Robert's Rules of Order Newly Revised* shall govern the Committee in all matters in which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order the Committee may adopt. The chair of the Committee shall establish the agenda with the assistance of the vice-chair and staff liaison. The Committee shall attempt to complete all agenda business at each meeting. If the time for conducting required business exceeds a reasonable hour, the chair or any member may propose a carry-over of remaining business to a special meeting date to be designated, or to the next regularly scheduled meeting.

**MEETING MINUTES.** Minutes of each meeting shall record the presence and absence of each member. They shall also document the business conducted at the meeting and a summary of the discussions and recorded decisions including proposed motions,

seconds to the motion and discussions, dissensions and abstentions. Completed minutes shall be electronically conveyed to members prior to the next meeting.

**COUNTY DEPARTMENT PARTICIPATION.** The Committee will be aided in the conduct of its functions by designated County staff or their representatives. These designated representatives will be ex-officio members of the Committee and will be nonvoting. They will be designated by the DTD Assistant Director of Transportation or his/her designee. The chair of the Committee may request additional appointees to be designated representatives if it appears there is a need. These representatives will provide the Committee with consulting services and assistance in their respective technical areas.

**NON-COUNTY GOVERNMENTAL PARTICIPATION.** Representatives from other governmental agencies may be asked by the Committee to participate on a case-by-case basis if their input can assist the Committee. These representatives will not become members of the Committee.

## **ARTICLE VIII**

**SUB-COMMITTEES.** The Community Road Fund Advisory Committee may create sub-committees as required to promote the purposes and objectives of the Committee. A chairperson for each sub-committee shall be selected by the Community Road Fund Advisory Committee Chair.

## **ARTICLE IX**

**DISSOLUTION.** The Community Road Fund Advisory Committee shall be considered inactive if it fails to meet the requirements of these bylaws. An inactive committee shall be dissolved and will no longer be recognized by the Board of County Commissioners. Should the Committee be dissolved, disbursement of the Committee's funds, if any, shall be to a non-profit organization, preferably within the Committee's area. This organization shall be selected by the Committee's membership in attendance at the final meeting. Funds provided to the Committee by the County shall be returned to the County upon dissolution of the Committee.

## **ARTICLE X**

**AMENDMENTS.** Any member on any appropriate subject may propose bylaw modifications. Such proposals will be submitted in writing to the chair of the Committee. The submitted proposals shall be read during the meeting at which they are first presented. Discussion of the proposals will be limited to clarification of intent and verbiage at that meeting.

The staff liaison shall ensure that the proposal, as modified by the limited discussion in the meeting, be forwarded to each Committee member, the County Public and Government Affairs Department, and County Counsel, along with a copy of the

recorded minutes of the meeting. The proposed bylaw modifications shall be voted on at the next official meeting of the Committee.

If a majority of the quorum present approves the proposal, and no objection is received from the Board of County Commissioners, the proposed changes shall be incorporated into the Bylaws. However, the amendments shall not be in effect until approved by the Board of County Commissioners and that approval has been communicated back to the Chairperson.

The amended bylaws shall supersede all previous bylaws and become the governing rules for the County Road Fund Advisory Committee.

## **ARTICLE XI**

**POLICIES.** The Committee shall adopt and follow the general operating policies recommended by the Board of County Commissioners. Primary among these policies and key guidelines to the Committee are the following:

- a. Operate as a non-profit, nonpolitical organization, devoted exclusively to its responsibilities as described above in Section 5.1.
- b. Operate in the general public interest serving the County as a whole. It shall serve no special Interest.
- c. Will not endorse any commercial products or enterprise.

## **ARTICLE XII**

**AUTHORITY TO BIND.** The Clackamas County Community Road Fund Advisory Committee, its members individually or collectively cannot commit Clackamas County, its officers or agents to financial obligation unless approved beforehand in writing for the express amount and purpose. Such approval must have the funding account and citation number approved.