

## **BY-LAWS**

### **CLACKAMAS COUNTY LOCAL PUBLIC SAFETY COORDINATING COUNCIL**

Adopted 2/28/96  
Revised 10/22/98  
Revised 2016  
Revised 3/4/2019

#### **ARTICLE I**

##### **General Provisions**

##### **Section 1. NAME.**

The Clackamas County Local Public Safety Coordinating Council, formed by the Board of County Commissioners' Order No. 95-934, as required by the passage of Senate Bills 1 and 1145, 1995 Legislative Session, pursuant to ORS 423.560, shall be referred to herein as the Council or LPSCC.

##### **Section 2. PURPOSE.**

The purpose of the LPSCC is to develop and recommend to the Board of County Commissioners, plans for the use of state and local resources to appropriately and effectively address the local adult and juvenile offender populations; to develop and recommend, a plan designed to prevent criminal involvement by youth; to coordinate local criminal justice policy among all criminal justice entities; to provide support for programs that strengthen and preserve families.

These plans shall be developed according to the principles of personal responsibility, accountability, and reformation within the context of public safety and restitution to the victims and to the community. Plans shall provide for a continuum of sanctions and services for both juvenile and adult offenders that, when combined, result in a seamless system that embodies the above principles while emphasizing the prevention of criminal activity generally. All plans developed and approved may be revised as conditions warrant.

##### **Section 3. REPORTS.**

All plans developed by the LPSCC are advisory in nature and must be submitted for approval and adoption by the Board of County Commissioners. It is recognized that not all plans would receive unanimous approval of the Council. In these cases, a minority report may be filed by 1 or more dissenting members. Minority reports shall be submitted to the Chair of the LPSCC as an attachment to the plan approved by the majority and shall be submitted jointly to the Board of County Commissioners for consideration and approval.

##### **Section 4. INTERPRETATION.**

These by-laws shall be liberally construed to meet the general purposes of the Council.

#### **ARTICLE II**

##### **Board members of the LPSCC**

##### **Section 1. MEMBERS.**

The Council shall consist, at a minimum, of 14 members, to include nonvoting members selected by the Superintendent of State Police and a representative of the Oregon Youth Authority. Other members shall be as follows:

- A police chief;
- The Sheriff;
- The District Attorney;
- A State Court Judge;
- A Public Defender or Defense Attorney;
- The Director of Community Corrections;
- A County Commissioner;
- The Juvenile Department Director;
- The Health Director;
- The Mental Health Director;
- A representative of community-based non-profit organizations that provide services to victims of crime
- At least one lay citizen;
- A city councilor or mayor;
- A city manager or other city representative;
- Manager of the Clackamas Branch of the Department of Human Services.
- Director of the Clackamas County Children, Families and Community Connections Division

Additional positions may be created or deleted by an affirmative majority vote of members when a quorum is present.

**Section 2. TERMS.**

Members will serve for a term to be determined by the appropriate appointing authority. Elected officials will serve for a term concurrent with that of their elective offices. Department Directors will serve for the length of their employment in that position. All members will continue to serve until the Chair of the LPSCC is otherwise notified by an appointing authority.

**Section 3. VACANCIES.**

In the event of a Council vacancy, the Chair of the Council shall notify the appointing authority as designated in Article II, Section 1, within fourteen (14) days of knowledge that the vacancy exists.

**Section 4. RIGHTS OF MEMBERS.**

All members shall have equal rights and privileges except as otherwise provided by these by-laws.

**Section 5. COMPENSATION.**

The members of the LPSCC shall serve voluntarily and are not entitled to compensation, unless service on this Council is part of their regular employment. Obligation for compensation, where due, is the responsibility of the individual employer and not the LPSCC. The LPSCC may establish a reimbursement policy for necessary expenditures related to the Council's business.

**ARTICLE III**

**Officers of the LPSCC**

**Section 1. OFFICERS.**

The officers of the LPSCC shall be the Chair and Vice-Chair and such other officers as the Council may determine to be necessary. Officers shall be elected by majority vote at the last regular

meeting of the year and assume office at the first regular meeting of the fiscal year. Officers of the LPSCC shall serve for terms of two (2) years and are eligible for re-election.

**Section 2. DUTIES OF THE CHAIR.**

Except as otherwise provided herein, the Chair shall have the duties and power to:

- Preside over all meetings of the LPSCC;
- Direct the preparation and distribution of agendas for all Council meetings;
- Vote on all questions before the Council;
- Call special meetings of the Council in accordance with these by-laws;
- Appoint committees and chairs thereof;
- Sign all resolutions or other documents arising from formal Council action;
- Shall represent the Council in all conferences or activities involving inter-organizational or intra-organizational planning and coordinating, unless another Council member is so designated;
- Shall function as the official spokesperson for the LPSCC in correspondence and with the media, unless another Council member is so designated;
- Perform other such duties as may be directed by the LPSCC.

**Section 3. DUTIES OF THE VICE-CHAIR.**

During the absence, disability or disqualification of the Chair, the Vice--Chair shall exercise or perform all the duties and be subject to all the responsibilities of the Chair.

**ARTICLE IV**

Committees

**Section 1. CREATION AND APPOINTMENT OF COMMITTEES.**

The Chair shall have the authority to create committees and to appoint the members, subject to confirmation by the Council. Members of committees are not required to be members of the LPSCC. Terms of members shall be for a set time established by the Chair, until the project is completed, until the member resigns, or until the member is replaced by the Chair. All committees shall be advisory in nature and have no authority to act on behalf of or commit the LPSCC to any position or act.

**Section 2. EFFECT OF COMMITTEES.**

Committees cannot reverse decisions made by the LPSCC and must report all their actions at the next Council meeting. All meetings of committees shall be conducted in accordance with the public meeting and records law of the state of Oregon. The LPSCC retains the right to reject, amend, or accept in full or in part, any recommendations, positions or suggestions of any committee.

**ARTICLE V**

Meetings

**Section 1. REGULAR MEETINGS.**

Regular meetings shall be held at locations to be determined by the LPSCC. Meeting locations and times shall be established with due consideration of the needs and schedules of members and accessibility by the general public and other interested parties. Notice of each regular meeting

shall be sent to members together with the proposed agenda for that meeting. The agenda may change as matters arise.

**Section 2. CANCELLATIONS.**

A regular meeting may be canceled or rescheduled by the Chair if a lack of quorum is apparent or for other good cause.

**Section 3. SPECIAL MEETINGS.**

Special and emergency meetings and executive sessions of the Council may be called upon notice as provided in the public meeting law, by the Chair or by a majority of the LPSCC members.

**Section 4. ATTENDANCE.**

If a member is unable to attend a meeting, the member, as a courtesy to the Chair and other members, shall notify the Chair or designated staff. Any member who misses three (3) consecutive regularly scheduled meetings without excuse or notification of the Chair of an extended absence may be subject to a recommendation for removal and replacement to the appropriate appointing authority upon majority vote of the LPSCC. Members may attend either in person or by conference call, so long as everyone participating in the meeting can hear and communicate with each other. Members attending by telephone conference may be counted toward achieving a quorum. Members may not vote by proxy or via email.

**Section 5. VOTING/QUORUM.**

Each member, including the Chair, but with the exception of the non-voting members, are entitled to vote at a meeting, regular or special. Non-voting members are entitled to actively participate in discussions and the members of the LPSCC shall take into consideration the interests of non-voting members.

A quorum consists of a majority of the voting members of the full Council. If a quorum is present at any meeting of the council, action may be taken by an affirmative vote of a majority of the quorum.

**Section 6. RULES OF PROCEDURE.**

The latest edition of Roberts' Rules of Order shall be used to resolve any procedural dispute not provided for in these by-laws or capable of being resolved by consensus of the members.

**Section 7. PUBLIC COMMENT.**

Time will be provided on all agendas for comment by the public and other interested parties on issues before the Council. The Council, in the form of the Chair, retains the right to place time limits on the public testimony of individuals. At the Council's discretion, certain interested parties may be invited to participate in the discussion of the Council on issues germane to their areas of expertise. Written comment and information provided by interested parties should be directed to the Chair and will be included in the meeting packets of the LPSCC for consideration and discussion by members.

**ARTICLE VI**

**Additional Requirements**

**Section 1. PUBLIC RECORDS.**

The public records of the LPSCC and its committees are subject to inspection pursuant to the Oregon Public Records Law as now in force and hereafter amended (ORS 192.410- 192.502).

**Section 2. RECORDS EXEMPT FROM PUBLIC INSPECTION.**

Any public record exempt from disclosure or inspection under any applicable law shall not be subject to disclosure except as otherwise determined by the LPSCC.

**Section 3. PUBLIC MEETINGS.**

The Oregon Public Meetings Law as now in force and as hereafter amended (ORS 192.610 - 192.690) shall apply to all regular and special meetings of the LPSCC and any committee thereof as required by law except as otherwise exempted by any applicable statute.

**Section 4. CONFLICTS OF INTEREST.**

a. Declaration. The Council is subject to ORS Chapter 244. ORS 244.010 to 244.047, and 244.120 to 244.130, define conflicts of interest and establish protocols for members of public bodies in Oregon. Council members are expected to declare a conflict of interest consistent with their positions prior to consideration of any matter causing a potential or actual conflict.

b. Potential conflict defined. A potential conflict of interest exists when a Council member takes an action that reasonably could be expected to have a financial impact on that member, a relative, or a business with which the member or member's relative is associated. The Council member may participate in an action after declaring the potential conflict and announcing its nature.

c. Actual conflict defined. An actual conflict of interest exists when an action is reasonably certain to result in a special benefit or detriment to the Council member, a relative, or a business with which the member or member's relative is associated. The member will declare the actual conflict and announce its nature. The member must then refrain from taking any official action, except when the member's vote is necessary to achieve a quorum. When a vote is necessary to achieve a quorum, the member may vote, but may not participate in any discussion or debate on the issue out of which the actual conflict arises.

**ARTICLE VII**

Amendments to By-Laws

**Section 1. AMENDMENTS.**

Amendments to these by-laws may be proposed by any member of the Council. A copy of the proposed amendment shall be submitted to the Chair. The Chair shall distribute or cause to be distributed the proposed amendment in writing at least seven (7) days prior to action on the amendment. These by-laws may be amended by a two-thirds majority vote of the current voting members of the Council at any regular meeting or special meeting called for that purpose and at which all voting members of the Council are in attendance. No amendment to these bylaws is effective until approved by the Board of County Commissioners, or designee.