

PORTLAND DEVELOPMENT COMMISSION

Portland, Oregon

RESOLUTION NO. 6951

**ADOPTING UPDATED URBAN RENEWAL ADVISORY COMMITTEE
POLICY TO CLARIFY MEMBERSHIP AND MEMBER TERMS, ALIGN WITH
PDC MISSION AND STRATEGIC PLAN, AND UPDATE ADMINISTRATIVE
PROCEDURES**

WHEREAS, on September 14, 2005, the Portland Development Commission (“Board”) established a formal policy (“Policy”) regarding the establishment and operation of Urban Renewal Advisory Committees (“URAC”);

WHEREAS, the Board amended the Policy on July 9, 2007, and again on June 8, 2011 (as so amended, the “Existing URAC Policy”);

WHEREAS, the Existing URAC Policy allows appointment of URAC members for terms of up to three years but only in one-year increments;

WHEREAS, the Existing URAC Policy includes an outdated “Ex-Officio” membership category and is not clear on the term limits of “Alternate” members;

WHEREAS, the Existing URAC Policy does not reflect PDC’s current mission or Strategic Plan;

WHEREAS, the Existing URAC Policy also includes other outdated administrative and operational procedures; and

WHEREAS, the Board desires to update the Existing URAC Policy to allow more flexibility in setting member terms, clarify membership categories, align the policy with adopted Board strategies and goals; and otherwise update the policy to better align it with current practices.

NOW, THEREFORE, BE IT RESOLVED, that the updated policy on the establishment and operation of URACs, attached hereto as Exhibit A (the “Updated URAC Policy”), is hereby adopted;

BE IT FURTHER RESOLVED, that the Updated URAC Policy supersedes and replaces, in its entirety, the Existing URAC Policy; and

BE IT FURTHER RESOLVED, that this resolution shall become effective immediately upon its adoption.

Adopted by Portland Development Commission on June 13, 2012



Gina Wiedrick, Recording Secretary

Urban Renewal Advisory Committee Policy

Originally adopted in 2005, the purpose of PDC's **Public Participation Policy** is "to ensure appropriate public participation processes and activities are incorporated into PDC planning and decision-making." An Urban Renewal Advisory Committee ("URAC") is one of a variety of tools the PDC Board of Commissioners (the "PDC Board") and staff will use to obtain public input and feedback when making plans and decisions related to implementation of an urban renewal plan ("URA Plan").

PDC established the URAC Policy to determine the composition and function of a URAC consistent with the following **Guiding Principles**:

- PDC will operate URACs in a consistent manner.
- PDC will respectfully utilize and maximize the volunteer time and effort of individual URAC members.
- PDC recognizes and values the contribution existing community groups and individuals provide in developing and implementing URA Plans.
- The role and responsibility of URACs in broadening public awareness and participation in URA Plan implementation should be expanded.
- URACs are one of a variety of public participation tools for providing public feedback to the PDC Board regarding proposed projects, plans, strategies and programs.

Over the life of a URA, URACs play an important role for the PDC Board by virtue of:

- Its diverse composition of representative stakeholders.
- Its ongoing familiarity with the overall short and long-term goals and objectives of a URA Plan and related city plans and policies.
- Its members sharing information with and receiving feedback from wider networks of stakeholders.

A. Establishment.

1. Upon the creation of an urban renewal area ("URA"), or anytime thereafter, the PDC Board will determine whether or not to have a URAC. This decision will generally be based on the specific objectives of the URA Plan, the extent of stakeholder interest and involvement, and alternative methods for public participation that exist or are planned.
2. The PDC Board retains sole authority to establish, recompose or disband a URAC.
3. Each URAC is considered a "standing committee" of the PDC Board and a "public body" subject to the Oregon Public Meetings Law (ORS 192.610 to 192.690).
4. A URAC shall be created by Resolution of the PDC Board that contains the following:
 - a) Statement of URAC role and responsibilities.
 - b) Identification of organization members and representatives.
 - c) Identification of at-large members.
 - d) Identification of taxing jurisdiction member (as applicable).
 - e) Identification of alternate members, if any.

- f) Identification of initial URAC chairperson.
5. All subsequent appointments of URAC members shall be done by Resolution of the PDC Board.

B. Roles and Responsibilities.

1. **URAC.** URACs, as a body, are primarily tasked with providing advice to the PDC Board and staff on the implementation of the PDC Strategic Plan through budget development and implementation of the URA Plan. In this capacity, both URACs and their individual members should understand and base their recommendations on PDC's Mission, "to create one of the world's most desirable and equitable cities by investing in job creation, innovation and economic opportunity throughout Portland," and prioritize investments that directly advance the goals of PDC's Strategic Plan.

URACs are also responsible for:

- a) Assisting project staff in identifying and involving other community stakeholders and partners in public participation activities and urban renewal projects.
 - b) Providing a forum for public discussion on PDC activities.
 - c) Providing feedback to the PDC Board and staff on short and long-term plans and budgets related to implementation of the URA Plan.
 - d) Providing feedback to the PDC Board on proposed URA Plan amendments.
 - e) Collectively considering feedback and recommendations from a diversity of stakeholder interests within the URA.
2. **URAC members.** URAC members themselves play the important role of representing the viewpoint and insight of community residents, property and business owners, and other stakeholders, and are responsible for:
- a) Understanding the goals and objectives of the adopted URA Plan, the PDC Strategic Plan and related PDC and City plans and policies, and keeping informed about urban renewal projects, programs and activities.
 - b) Attending URAC meetings and other related public activities; and advising the URAC Chair and PDC staff in advance of meeting absences.
 - c) Reviewing meeting agenda information in advance and providing informed input on matters presented for URAC consideration.
 - d) Assisting staff in informing community residents and businesses of programs and services offered by the Commission.
 - e) Assisting staff in promoting public participation opportunities among community stakeholders and recruiting stakeholders to participate in those activities.
 - f) Cultivating new candidates for URAC membership.
 - g) Reporting urban renewal investment activities back to their respective organizations, and reflecting the position of the entity in discussion and votes of the URAC.

3. **PDC Staff.** Each URA will have a designated PDC staff person responsible for the following:
 - a) Liaison between the PDC Board, PDC leadership and the URAC.
 - b) Calling regular and special meetings of the URAC in consultation with the URAC Chair.
 - c) Meeting logistics, including public notices.
 - d) Preparing a meeting agenda in consultation with the URAC Chair. The agenda must contain the following items at the outset of the meeting prior to conducting any other business:
 - Call to order
 - Roll call
 - Approval of prior meeting summary
 - Approval of meeting agenda
 - Opportunity for URAC members to disclose any potential conflict of interest with items on the agenda and recording of the same
 - Opportunity for public comments on items not on the agenda
 - e) Distributing the agenda to URAC members in a timely manner; generally at least three (3) days prior to a regular meeting; and 24 hours prior to a special meeting.
 - f) Making the agenda readily available to interested stakeholders and the general public prior to the meeting through appropriate means (e.g., posting on the PDC website) in a timely manner.
 - g) Coordinating nominations and election of URAC officers.
 - h) Coordinating new member outreach and application process; and PDC Board appointment process.
 - i) Producing and distributing a written summary of URAC meetings that satisfies the Oregon Public Meetings Law requirements for written meeting minutes. The summary is subject to review, revision and approval by the URAC at a subsequent meeting.
 - j) Maintaining all official records of the URAC, including tracking attendance.
 - k) Coordinating reports and presentations to the URAC on projects/programs/investments being managed by PDC in the URA.
 - l) Coordinating all URA-related public participation plans and activities.
- C. **Composition.** A URAC will have enough members to be manageable and ensure it adequately represents the variety and diversity of impacted and interested stakeholders in the specific objectives of the URA Plan as well as a broad spectrum of relevant public/city interests. The size and composition of a URAC may need to change over the life of a URA Plan to reflect progress and strategies towards meeting URA Plan goals.
 1. **Size.** As a best practice for creating a functional committee a URAC should have a minimum of seven (7) and a maximum of seventeen (17) members in any combination of the following member-types as determined by the PDC Board.

2. Members

- a) **Organization Member.** The role of an organization member is to keep the organization informed of the business and activities of the URAC, and be empowered to speak and vote on behalf of the entity. The organization is responsible for:
- Nominating a representative, and at their option an Alternate to serve on the URAC.
 - Providing the PDC Board with an explanation of the process used by the organization to recruit and identify the representative and alternate.

Types of organization members are:

- (i) A **Neighborhood Association** recognized by the City of Portland according to guidelines administered by the Office of Neighborhood Involvement.
- (ii) A **Neighborhood Business Association** recognized by the City of Portland according to guidelines administered by the Office of Neighborhood Involvement.
- (iii) **Community Partners.** A non-governmental citywide, community or business organization, association or entity whose principal mission, objectives or services are related to goals and objectives of the URA Plan, and that has a significant presence or interest in the URA Plan.
- b) **At-Large Member.** Individuals appointed to represent the interests of like stakeholders at large. These members would typically be residents, property owners, or business interests within the URA or greater Portland area.
- c) **Taxing Jurisdiction Partner Members.** Public agencies which have an interest in the implementation of urban renewal plans because they forego a significant amount of tax revenue that would normally be spent making investments in their respective areas of operation. This member category may be designated by PDC when new URA Plans are adopted or existing URA Plans increase maximum indebtedness.
- d) **Alternates.** The PDC Board may also appoint an Alternate for any member in classification “a” through “c.” Alternates may serve as a substitute when the member they are alternating for is absent from a URAC Meeting. Alternates may vote or participate in a URAC meeting as a member, when the member they are alternating for is absent.

3. Appointments.

a) Appointment Term.

- (i) A term length may be for up to three years.

b) Term Limits.

- (i) The total length of service on a URAC cannot exceed six years.

(ii) Exceptions.

- At the discretion of the PDC Board, an individual otherwise ineligible for appointment may be appointed or reappointed in the following circumstances:
 - If the URAC would benefit from the individual’s historical background and service on the URAC; **OR**

- If an organization is unable to identify a different representative and has made a demonstrated good faith effort to do so.

c) Application Process. The appointment of any new or replacement URAC member shall be based on applications received from interested organizations or individuals; preceded by public notice of vacancies and outreach to potential applicants.

E. Attendance Standards. Members are responsible for attending all regular URAC meetings to be considered in good standing. After missing two regular meetings in a year, PDC staff shall take the following actions, based on membership category, in consultation with the URAC Chair:

1. Contact the member to confirm interest in participation and ability to attend future meetings.
2. Contact the organization or taxing jurisdiction board or staff to confirm their continued interest in being represented on the URAC, and receive assurance that their representative or Alternate will attend future meetings.
3. If, after PDC has taken the actions described in subsections (1) or (2) above, the representative misses two consecutive regular meetings, PDC staff, in consultation with URAC Chair, may declare the appointment vacated and may take steps to appoint a new representative.

F. Officers; Term; Election

1. Officers.

- a) **Eligibility.** All Board appointed URAC members are eligible for Officer positions; except for Alternates who are ineligible.
- b) **Chair.** The URAC Chair shall have the following role:
 - (i) Represent perspective of URAC as a whole; advocate for the whole URAC.
 - (ii) Spokesperson for URAC to media and community in coordination with PDC.
 - (iii) Initial contact for other URAC members concerns, questions or suggestions regarding URAC procedures or agenda.
 - (iv) Consult with the PDC staff on scheduling meetings and meeting agenda preparation.
 - (v) Preside over URAC meetings; including responsibility for:
 - Calling a meeting to order.
 - Keeping order and imposing any reasonable restrictions necessary for the efficient, orderly, and respectful conduct of a meeting.
 - Managing discussion and debate in a neutral manner providing equal opportunity for all URAC members to participate.
 - Ensuring that at each regular URAC meeting there is an opportunity for the general public to address the URAC.
 - Accepting motions and amendments from URAC members.
 - Conducting a vote in accordance with URAC policy procedures.
 - Declaring a quorum for the purposes of voting.

- Declaring the results of a vote.
 - Declaring a meeting adjourned.
 - (vi) Work with URAC members to uphold attendance standard.
 - (vii) Present official recommendations or communications to the PDC Board or Executive Director on behalf of the URAC, when authorized by the URAC.
- c) **Vice Chair/Co-Chair.** At the URAC's discretion, it shall have either a Vice Chair or Co-Chairs. This preference shall be decided prior to the formation of a Nominating Committee (defined below) each year.
- (i) The Vice Chair shall perform functions of the Chair in the Chair's absence.
 - (ii) The Co-Chairs shall share equally all roles and responsibilities otherwise described for the Chair in these procedures.
- 2. Term.** URAC Officers shall be elected annually. The term for URAC officers shall begin on the date of election and end upon election of new officers the following year.
- 3. Election of Officers**
- a) **Nominating Committee.** Prior to the end of officer terms, and in consultation with the URAC Chair, PDC staff will call for volunteers to form a nominating committee, composed of at least two URAC members not seeking election and the PDC staff (collectively, the "Nominating Committee"). The Nominating Committee's role is to:
- (i) Accept nominations and/or seek nominees for officers to propose to the URAC for election.
 - (ii) Obtain confirmation from nominees of their willingness to serve.
- b) **Election.** A URAC will elect a Chair and Vice Chair, or two (2) Co-Chairs, with service to take effect immediately upon election. Alternates shall not participate in elections or election procedures.
- (i) **Chair and Vice Chair:**
- The Nominating Committee will present their nominations for Chair.
 - The Chair will accept additional nominations from the URAC prior to the vote for Chair, provided there is:
 - 1) A second for the nomination among those present,
 - 2) A nominated person is present, and
 - 3) The person accepts the nomination.
 - Provided a quorum is present, the Chair will be the first person to receive the votes of a simple majority of all present at the meeting.
 - If there are more than two candidates and neither one receives the votes of a majority of all present at the meeting, the candidate receiving the fewest votes will be deleted from the ballot, and another vote will be taken on the remaining candidates. If necessary, this procedure will be repeated until someone receives a majority.
 - A separate vote will then be held for the position of Vice Chair, following the same process as the vote for the Chair.

(ii) **Co-Chairs:**

- The Nominating Committee will present its nominations for Co-Chairs.
- The Chair will accept additional nominations from the URAC prior to the vote for Co-Chair, provided:
 - 1) There is a second for the nomination among those present,
 - 2) A nominated person is present, and
 - 3) The person accepts the nomination.
- Provided a quorum is present, the first Co-Chair will be the first person to receive the votes of a simple majority of all present at the meeting.
- If there are more than two candidates and neither one receives the votes of a majority of those present at the meeting, the candidate receiving the fewest votes will be deleted from the ballot, and another vote will be taken on the remaining candidates. If necessary, this procedure will be repeated until someone receives a majority.
- A separate vote will then be held for the second Co-Chair, following the same process described above.

G. **Public Meetings and Records.** A URAC is subject to the Oregon Public Records and Meetings Laws (ORS 192.410 to 192.505 and 192.610 to 192.690). In addition to other elements of this policy designed to comply with that law, the requirements below must also be followed:

1. All meetings must be open to the public.
2. While meetings must be open to public attendance, they do not have to be open to public testimony/comment, except that an opportunity for public testimony prior to any vote is required.
 - a) The Chair controls the extent of public testimony/comment at a meeting.
 - b) A URAC may adopt additional guidelines for public participation to aid Chairs in being fair and consistent at meetings (e.g., restricting testimony to 3 minutes).
2. Although informal gatherings of URAC members outside of an official meeting is permissible under the law, the intent of such a gathering may not be to deliberate issues and no decision may be made. Members constituting a quorum must avoid any group discussion of the business of the URAC during private social gatherings.
3. PDC staff is responsible for managing all URAC records in accordance with PDC's policies.

H. **Meetings**

1. **Regular Meetings.** An URAC must hold at least one regular meeting during the year as determined by PDC staff.
2. **Special Meetings.** A special or emergency meeting may be called by PDC staff in consultation with the URAC Chair.
3. **Meeting Logistics.**

- a) Meetings should be held within the geographic boundaries of the URA whenever practical, or as close as possible, for the sake of convenience to URAC members and the general public.
 - b) Meetings should be held at a time and place most suitable to the membership, and that facilitates public attendance.
 - c) Meetings must be held in an ADA-accessible facility.
 - d) Meetings must be held in a non-smoking facility.
 - e) A good faith effort must be made to make meetings accessible to people with hearing impairment or other disabilities. Public meeting notices should contain a statement to the effect, "*If an individual is in need of special accommodation, contact (name of PDC staff) at least 24 hours in advance.*" If someone indicates the need for a special accommodation, PDC staff is responsible for providing reasonable accommodation.
4. **Meeting Notice.** Public notice of any meeting of a URAC is required, and is the responsibility of PDC staff.
- a) The public notice must include the date, time, place and a brief description of the nature of the principal subjects to be discussed. Issues which were unknown at the time of notice, and therefore not listed, may be discussed and voted on.
 - b) Actual (direct) notice must be provided to specifically interested persons, such as URAC members and alternates, and others who have requested notification in writing, including any media; and parties with a special interest in a particular agenda item.
 - c) Reasonable notice must also be provided to the public at large, although this does not need to be direct. This would be at a minimum an advertisement in a widely circulated newspaper and posting on the PDC and City of Portland websites.
 - d) The amount of notice given under the law must be reasonable, but no specific amount of time is required.
 - e) Special (i.e., non-regular) meetings may be called with a minimum of 24-hour notice.
 - f) Emergency meetings may be held with less than 24-hour notice. Only the emergency issue(s) may be dealt with at an emergency meeting.
 - g) The URAC shall provide a recommendation to PDC staff on additional ways to publicize meetings of the URAC to stakeholders and interested community members.
5. **Voting.** All official actions (e.g., officer elections, recommendations, decisions, and communications) must be taken by open vote during a public meeting of the URAC. Alternates are only permitted to vote when the representative they are alternating for is not present.
- a) **Quorum.** A majority of URAC members must be present in order to vote on an official action.
 - b) **Procedure.** When a matter is considered by the URAC with the intent of taking some action, the Chair should follow this process:
 - (i) Presentation
 - (ii) URAC Discussion

- (iii) Public Comments
- (iv) Motion and second to take action
- (v) Debate
- (vi) Secondary motions
 - Debate
 - Vote on secondary motion
- (vii) Chair seeks consensus to close debate
- (viii) Chair calls the question
- (ix) Vote by membership. The vote of each member must be recorded by name. Results of all votes must be made public and kept in the minutes of the meeting.
- (x) Provided a quorum is present, a simple majority is necessary to adopt or reject a motion.

I. General Rules and Conflict of Interest

1. A URAC may not otherwise adopt or practice any procedure which is in conflict with this policy, other PDC policies, or the Oregon Public Meetings Law.
2. All individual members of a URAC are considered “public officials” and therefore subject to Oregon Government Ethics laws related to ethics and conflict of interest (ORS Chapter 244). As needed, URAC members will be provided orientation and information on these standards.
3. All individual members of a URAC are considered “PDC Officials” and therefore subject to certain provisions of the PDC Code of Conduct; and in addition, are also legally bound to the standards of conduct and ethics contained in the Portland City Code (Chapter 1.03). As needed, URAC members will be provided orientation and information on these standards.
4. URAC members are called upon to make recommendations that, if adopted, will have a broad impact on the entire URA and, in many circumstances, individual properties. Many URAC members may have property interests located in the URA, a business located in the URA, or a business that does work with property owners or businesses located in the URA. As such, URAC members may be met with conflicts of interest when participating in the URAC’s business of submitting recommendations to the PDC Board. Because the PDC Board is not obligated to accept or enact any of the recommendations made by the URAC, URAC members cannot have actual conflicts of interest, although they may have potential conflicts of interest. An actual conflict of interest would not occur for a URAC member because there would be no certain or specific financial impact from a non-binding recommendation.
5. Oregon Government Ethics laws define potential conflict of interest at ORS 244.020(12). A potential conflict of interest exists when an official takes action that could have a financial impact on that official, a relative of that official or a business with which the official or the relative of that official is associated.
6. When a URAC member is met with a potential conflict of interest, ORS 244.120(2)(a) requires that the nature of the potential conflict of interest be publicly disclosed. Such disclosure of a potential conflict of interest by a URAC member should be made upon review of the meeting agenda at the beginning of regular URAC meetings prior to any discussion or deliberation of any agenda

items; otherwise such disclosure must occur prior to any deliberation or discussion of the matter in question. Once the disclosure has been entered into the public record the URAC member may participate in any subsequent discussion and vote on the matter giving rise to the potential conflict of interest. Each time a URAC member is met with a potential conflict of interest this disclosure must be made, but only one time on each occasion (ORS 244.120(3)).

7. If uncertain about whether or not a conflict of interest exists on a particular matter, the URAC member is encouraged to consult with the PDC General Counsel in advance of a meeting.

J. Communications

1. **Individual member communications.** Individual URAC members are free to communicate their personal opinions to City Commissioners, the PDC Board, PDC staff or the media. However, within a written communication, or during a verbal conversation members should clarify that their opinions are personal and not a position or opinion of the URAC.
2. **Official URAC Communications.** Any official recommendation, request, or response of the URAC to public officials, the PDC Board or PDC staff should be transmitted in writing, signed by the URAC Chair, and be reviewed in advance by the entire URAC if possible, or contain language that the URAC has otherwise approved.

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RESOLUTION TITLE:

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Adopted by the Portland Development Commission on June 13, 2012

PRESENT FOR VOTE	COMMISSIONERS	VOTE		
		Yea	Nay	Abstain
<input checked="" type="checkbox"/>	Acting Chair Charles Wilhoite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Scott Andrews	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Aneshka Dickson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Commissioner John Mohlis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Steven Straus	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Consent Agenda		<input checked="" type="checkbox"/> Regular Agenda		

CERTIFICATION

The undersigned hereby certifies that:

The attached resolution is a true and correct copy of the resolution as finally adopted at a Board Meeting of the Portland Development Commission and as duly recorded in the official minutes of the meeting.

	Date: July 3, 2012
Gina Wiedrick, Recording Secretary	