



City of Eugene

POLICE COMMISSION

The Police Commission recommends to the City Council, City Manager, police department, and the people, the resources, preferred policing alternatives, policies, and citizen responsibilities needed to achieve a safe community. We strive to create a climate of mutual respect and partnership between the community and the police department that helps to achieve safety, justice and freedom for all people in Eugene.

Police Commissioners: Bob Walker, Chair; Tamara Miller, Vice-Chair; Mike Clark; Edward Goehring; Jim Garner; Jesse Lohrke; James Manning; George Rode; Claire Syrett; Joe Tyndall; Bill Whalen

Police Commission Meeting – By Annual Retreat
May 2, 2015
Washington Park Community Center
2025 Washington Street, Eugene
9:00 A.M. – 1:00 P.M.

Item	Starting – Ending	Minutes
Welcome	9:00 – 9:10	10 min
Review FY 2014-2015 Work Plan & Identify Unfinished Work	9:10 – 9:40	30 min
Review Council adopted goals & mission, and Commission adopted goals & bylaws	9:40 – 10:20	40 min
BREAK	10:20 – 10:30	10 min
Presentation from Chief – Major EPD FY 2016 & 2017 Initiatives	10:30 – 11:15	45 min
Identify FY 2016 & 2017 Commission Community Issues and Priorities	11:15 – 12:00	45 min
Prioritize – Vote & Discuss	12:00 – 12:30	30 min
Closing Comments	12:30 – 1:00	30 min

UPCOMING Police Commission Meetings:

May 14, 2015



CITY OF EUGENE

POLICE COMMISSION

DRAFT -- FY 2014/ FY 2015 REPORT -- DRAFT

Police Commission Members

Bob Walker, Chair
Tamara Miller, Vice Chair
Mike Clark, City Councilor
Jim Garner
Edward Goehring
Jesse Lohrke

James Manning
George Rode
Claire Syrett, City Councilor
Joe Tyndall
Raquel Hecht
Bill Whalen

www.eugene-or.gov/policecommission

For more information on the Eugene Police Commission, please contact:
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Background

The Eugene Police Commission is a twelve-member volunteer body that acts in an advisory capacity to the City Council, the Chief of Police and the City Manager on police policy and resource issues. The Commission's enabling ordinance, adopted in December of 1998, requires that it develop a work plan for City Council review and approval. In 2013, the Commission moved to a biannual work plan. Major accomplishments over the past five years include the following highlights:

- Recommendations on several significant policies including Mental Health Crisis Response and Communication with People with Disabilities (FY 2009)
- Development of a Public Outreach Committee to strengthen the relationship between the public and the Police Department (FY 2009)
- Developed recommendations on all force-related policies including the Taser policy (FY 2011)
- Reviewed and made recommendations on the downtown exclusion zone ordinance (FY 2011)
- Worked with community around closure of Monroe Street Public Safety Station (FY 2012)
- Conducted community survey to determine public perception of Eugene Police Department (FY 2012)
- Reviewed and made recommendations on police policies related to search and seizure, use of canine, vehicle pursuits and holding facilities (FY 2012)
- Developed Outreach Toolkit to document efforts taken with closure of Monroe Street Station, and to provide a template to facilitate community outreach on subsequent projects (FY 2012)
- Conducted an anonymous survey of EPD employees to ascertain the Department's understanding of the Police Commission and its work (FY 2013)
- Held State of Public Safety Forum for the community (FY 2013)
- Initiated the Bias-based policing data collection project in (FY 2014)
- Reviewed and made recommendation on the Professional Police Contacts policy to govern the new Stops Data Collection (FY 2014) which the Law Enforcement Contacts and Data Review Committee (LECC) claims is the most comprehensive stop system for the rest of the state to follow (FY 2015)
- Reviewed and made recommendation for a downtown Closed Circuit Television (CCTV) pilot project and policy (FY 2015)
- Responded to public concern and formed a policy for Citizen's Filming Police (FY 2015)

The FY 2014-FY 2015 work plan identified several shifts in focus and practice for the Police Commission. One of these shifts was to focus more on the issues related to the Police Department that are of the greatest community concern. At its retreat in May 2013, a list of issues was raised that are of great community concern. To allow for the most meaningful issues to be addressed by the Commission, the Commission has periodically reviewed its upcoming work and selected items from its list of community issues to address. This has allowed the Commission to have more in-depth conversations about topics of interest to and with the community. This list is included on the next page and is titled: FY 2014-FY 2015 Work Plan Identified Community Topics.

The other change made by the Commission was to eliminate two standing committees. This was done to address staffing capacity issues, and to allow substantive policy discussions that had previously occurred in a committee of five. Now the full commission and community members are included in the discussion.

Commission Goals

As spelled out in the adopted bylaws, the Police Commission has five goals which guide the Commission's annual work activities. The FY 2014-2015 Work Plan was designed to address these goals:

- Goal 1 – Ensure that the policies and procedures of the Eugene Police Department protect the civil rights and liberties of everyone in Eugene.
- Goal 2 – Promote policing that respects and reflects Eugene's rich culture and diversity
- Goal 3 – Increase communications, understanding and trust between police and the people in Eugene
- Goal 4 – Encourage problem solving and partnerships between people, neighborhoods and other agencies and police
- Goal 5 – Provide fair opportunities for the public and criminal justice professionals to comment and participate in the commission's work recognizing the interconnectedness of the criminal justice system

FY 2014-FY 2015 Work Plan Identified Community Topics

In addition to the Commission Goals, thirteen topics were identified for selecting possible community issues during the development of the FY 2014-FY 2015 Work Plan. These are listed below:

- 1) Information on police contacts with different demographics and the data needed to assess
- 2) Serving immigrant populations
- 3) Services and public safety issues related to homelessness
- 4) Police services in light of budget
- 5) Crime reduction in light of jail, prison and court cuts
- 6) Use of force
- 7) Constitutional privacy – drones and automatic license readers
- 8) Eugene Police Department policies
- 9) Advocacy for public safety resources
- 10) Police budget allocation and grants
- 11) Strategic public safety funding
- 12) Police training manual
- 13) Responding to emerging issues

The Commission has met the goal of working on each of the identified community topics in FY 2014- FY 2015. In addition to community issues, the Commission continued its review of the Police Department Policies.

Finally, during FY 2015 the Commission will develop its next two year work plan for Council consideration.

Work Completed in FY 2014

The Police Commission completed review of the policies related to Civil Disturbance, Videotaping Events, Bias-Free Policing. The Commission began a review of policies related to emerging technologies, such as body cameras, closed circuit video recording, and recognition software. This review continued into FY 2015. The Bias-Free Police Policy had been anticipated by the community and Commission for a long time, and the Commission's discussion and community input were robust and lengthy, covering a seven month period.

In addition to these EPD policy discussions, the Commission conducted the following work in FY 2014.

Designed, conducted and reviewed an anonymous employee survey of EPD employees. The intent of this project was to determine the employees' understanding and support of the work of the Police Commission.

Received update and held discussion on EPD Budget The EPD Finance Manager provided an overview of the Department's budget. The Commission requested that more detailed information be brought back and discussed prior to the conclusion of budget discussions.

Held a joint meeting with the Civilian Review Board At this meeting, the CRB provided an overview of how a case is reviewed, what is considered, and the result of their recommendations. This meeting provided the Police Commission a useful understanding of the work undertaken by the CRB and the places where the work of the two bodies is complementary.

Reviewed and received updates on EPD's advisory committee on Stop Data Collection EPD is implementing new records software that contains the ability to collect more demographic information about traffic stops. An advisory committee has been established to advise the Department on how the software should be implemented and how reporting should occur. The Commission received numerous reports from staff as well as the Chair of that committee.

Community issue: homelessness and policing This was the first community issue addressed by the Commission. The process began with a thoughtful discussion about the issues, and what was desired as a result. The Commission held a panel which included a person experiencing homelessness, police officer, business owner, resident, and a pastor. Each panelist shared their experiences of homelessness and the police. After the presentations, the Commissioners were able to ask questions of the panelists. Commissioners expressed appreciation for a deeper understanding of the complex issues surrounding homelessness and policing, and offered to assist the City in further policy or outreach work related to this issue. During these discussions, the Commission also reviewed the following laws and policies affecting people experiencing homelessness, including public consumption of alcohol, public urination/defecation, trespassing, prohibited camping, downtown activity zone, right angle street crossing, park rules.

Community issue: bias based policing In addition to reviewing the proposed EPD policy related to Bias Free Policing, the Commission engaged in a multi-faceted community discussion about bias-based policing. After a discussion about the goals and desired outcomes of this conversation, the Commission held two significant events. The first was a community panel, including representatives from the advocacy community, people personally impacted by police stops, a national expert on racial profiling, an immigration attorney, the chair of the Stops Data Committee, and a police officer. After presentations from each panelist, the Commissioners were able to ask questions. This panel took place at a regular Police Commission meeting, so public comments about the panel were received at the end of the meeting. After this community panel, the Commission also hosted a public forum for members of the public to provide comments directly to the Police Commission.

Work Completed in FY 2015

The Police Commission will have met twelve times in FY 2015 in addition to commission work and outreach through public forums, attending webinars, special events, and appointed committees. They have discussed more than seventeen topics.

As FY 2015 began, the Commission developed a scope of work for a discussion about constitutional privacy including the use of drones and automatic license readers. The commission quickly progressed to suggest recommendations for an Emerging Technology Policy. A policy that could not have been better timed... After its completion the Commission put it to work and recommended that this new tool be used in the development of a Closed Circuit Television (CCTV) Proposal. The Commission intends to follow up on EPD's progress with the CCTV in FY 2016/ FY 2017 Work Plan.

CCTV would not be the last emerging technology issue of the year and before CCTV deliberations ceased, the Commission requested EPD Staff return to them with policy examples for guiding officer interactions with those that film them. Deliberations for this topic have been fruitful resulting in the formation of the Recording Police Activities by the Community policy that is scheduled for a fifth discussion in May.

Other policies that the Police Commission reviewed include the Vehicle Impound and Mental Health Crisis policies.

In addition to these EPD policy discussions, the Commission conducted the following work in FY 2014.

Received update and held discussion on EPD Budget The EPD Finance Manager provided an overview of the Department's budget. Focused on the community issue of 'Strategic Public Safety Funding' the Commission requested a follow-up on the breakdown of court overtime. The Asst. Chief presented that breakdown and both citizens and commissioners remarked at the great improvements the Department had made since the last presentation.

Received update from EPD's advisory committee Chair on Stop Data Collection EPD expects to launch data collection after January 2016. In the meantime the Department will be developing the pilot project to test and evaluate the initiative. The Law Enforcement Contacts and Data Review Committee (LECC) states that it is the most comprehensive stop system for the rest of the state to follow.

Forming a Joint Venture with the Human Rights Commission (HRC) The Commission Chair brought back an invitation from the HRC Chair requesting a joint venture between the two commissions to endorse code revisions before City Council regarding Intimidation in the Second Degree. The Police Commission agreed to consider this proposal for the FY 2016/ FY 2017 Work Plan.

Deadly Use of Force Training In response to Commission inquiries, EPD offered the Police Commission an opportunity to go behind the scenes and experience the training simulator that officer's use when training on when to Use Deadly Force. A documentary on the Interagency Deadly use of Force Investigations Team was returned for the whole commission to review. Commissioners also reviewed the carotid restraint policy and Handcuffing, Control Holds, & Impact Weapons.

Public Outreach on Recording Police Activities by the Community The Police Commission had decided to pursue public outreach regarding the development of this policy when Commissioner Tyndall discovered that the Civil Liberties Defense Center (CLDC) was already initiating a public Forum. Four of the commissioners responded to the CLDC's call and joined the community to hear their input. The Commissioners offered up this feedback in their future deliberations.



COUNCIL ORDINANCE NUMBER 20398

COUNCIL BILL NUMBER 4959

**AN ORDINANCE CONCERNING THE POLICE COMMISSION AND
AMENDING SECTIONS 2.013 AND 2.368 OF THE EUGENE CODE,
1971.**

ADOPTED: October 22, 2007

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

EFFECTIVE: November 23, 2007

ORDINANCE NO. 20398

AN ORDINANCE CONCERNING THE POLICE COMMISSION AND AMENDING SECTIONS 2.013 AND 2.368 OF THE EUGENE CODE, 1971.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The Police Commission entry set forth in the table in Subsection (1)

of Section 2.013 of the Eugene Code, 1971, is amended to provide:

2.013 City Council - Boards, Commissions and Committees.

(1) Except for boards, commissions or committees established pursuant to ordinance, state statute, or intergovernmental agreement, the following are the presently constituted boards, commissions and committees of the city with the number of members and names of the appointive authority indicated thereafter, together with the term and the authority for such board, commission or committee:

Police Commission

No. of Members:	2 city councilors 1 member from the human rights commission 1 member from the civilian review board 8 citizens
Appointment Process: Term:	Mayor nominates, council appoints City councilors, human rights commission member, civilian review board member, during their respective terms.
Authority:	4 years - citizen members EC 2.368

Section 2. Section 2.368 of the Eugene Code, 1971, is amended to provide:

2.368 Police Commission.

- (1) Created. The police commission is hereby created to act as an advisory body to the city council, city manager, and police chief regarding police policy issues.
- (2) Membership. The commission shall have 12 members, consisting of two city councilors, one member who is also a member of the human rights commission, one member who is also a member of the civilian

review board, and eight citizen members selected from the public so as to represent a diverse range of interests and experiences with due regard to the geographic distribution of the membership. The citizen members of the commission shall be selected from, but are not limited to, several but not necessarily all of the following groups: youths, students of the University of Oregon and Lane Community College, persons with a demonstrated interest in law enforcement, social services providers, educators, members of community or neighborhood groups, persons engaged in private business, persons with a diversity of ethnic and cultural affiliations, and persons with diverse economic backgrounds and interests.

(3) Appointment and Terms of Office. Members shall be nominated by the mayor and appointed by the council. The eight citizen members shall serve for four-year terms. The councilor members shall be appointed annually as part of the process for appointing elected officials to other committees, and shall serve during their terms as councilors. The members from the human rights commission and civilian review board shall serve during their term on such commission, committee or board, or for four years, whichever is less. In any event, all members shall be limited to two consecutive terms. A vacancy shall be filled in the same manner as original appointments, and the appointee shall hold office for the remainder of the unexpired term. A member who is absent for more than three consecutively scheduled meetings without having been excused by the chair of the commission may be removed by the council and the vacancy filled.

(4) Powers and Duties.

- (a) In general, the police commission exists to work toward the following outcomes for the community:
1. To increase communications between police and the community, leading to a greater understanding of the preferred policing alternatives for this city;
 2. To identify police policy and resource issues related to preferred policing alternatives;
 3. To decrease misunderstandings regarding the nature of adopted police policies, practices and approaches;
 4. To provide input on police policies and procedures that reflect community values; and
 5. To assist the city council in balancing community priorities and resources by advising it on police resource issues.
- (b) The police commission shall develop a mission statement and a yearly workplan, to be reviewed and approved by the city council, which will articulate how the listed outcomes will be achieved.
- (c) In seeking to accomplish its mission, the police commission may:
1. Review and make recommendations on police policies, practices and priorities for consistency with community values;

2. Provide input on service and resource needs for community safety;
 3. Work on police-related projects as directed by the council; and
 4. Provide a forum for addressing public concerns related to police policies and practices.
- (d) The police commission shall not undertake the review of allegations and inquiries related to the actions of individual police officers.
- (e) The police commission shall receive periodic reports from the police auditor regarding complaint trends that the auditor believes indicate a review of police practices or training methods may be warranted.
- (f) The member appointed from the civilian review board shall assist in redirecting any complaints received about employee conduct to the auditor's office and in reporting on issues raised during the course of the civilian review board's work pertinent to police policy and practices.
- (g) The member appointed from the human rights commission shall serve as a liaison to that commission in monitoring police policy issues that are or may generate community concern.

Section 3. The City Recorder, at the request of, or with the concurrence of the City Attorney, may administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended, or repealed herein.

Passed by the City Council this

22nd day of October, 2007



Deputy City Recorder

Approved by the Mayor this

24 day of October, 2007



Mayor

ORGANIZATION AND BYLAWS
POLICE COMMISSION



Police Commission

Adopted 1999, Revised October 11, 2012

Introduction

The following sets forth information, rules and regulations concerning the Police Commission.

Police Commission Mission Statement

Our mission is to recommend to the City Council, the City Manager, the Police Department, and the people, the resources, preferred policing alternatives, policies and civilians' responsibilities needed to achieve a safe community. We strive to create a climate of mutual respect and partnership among people and between people and the Police Department that helps achieve safety, justice and freedom for all people.

Our Goals:

- Ensure that the policies and procedures of the Eugene Police Department protect the civil rights and liberties of everyone in Eugene.
- Promote policing that respects and reflects Eugene's rich culture and diversity.
- Increase communications, understanding and trust between police and the people in Eugene.
- Encourage problem solving and partnerships between people, neighborhoods, and other agencies and police.
- Provide fair opportunities for the public and criminal justice professionals to comment and participate in the Commission's work, recognizing the interconnectedness of the criminal justice system.

ARTICLE I. ESTABLISHMENT

The Eugene Police Commission, hereinafter referred to as the Commission, was established in December 1998 (Original Ordinance No. 20135 and amended to Ordinance 20398 in October 1997) and was appointed by the City Council in conformance with Eugene Municipal Code 2.013 and 2.368. All powers and duties of the Eugene Police Commission are derived from City of Eugene Ordinance 20398. Nothing in these bylaws shall be construed as expanding the authority conferred upon the Commission by the ordinance.

ARTICLE II. PURPOSE AND OBJECTIVES

1. The Commission shall act as an advisory body to the City Council, City Manager and Police Chief regarding police policy issues. The Commission exists to work toward the following outcomes for the community:

- a. To increase communications between the police and the community, leading to a greater understanding of the preferred policing alternatives for the city
- b. To identify police policy and resource issues related to preferred policing alternatives;
- c. To decrease misunderstandings regarding the nature of adopted police policies, practices and approaches;
- d. To provide input on police policies and procedures that reflect community values
- e. To assist the City Council in balancing community priorities and resources by advising it on police resource issues; and
- f. To recommend police policies reflecting community values

2. It is the intent that these bylaws be consistent with the Boards and Commission Manual for the City of Eugene. Where there is conflict, these bylaws will control unless the Commission approves a change to align with the Boards and Commission Manual.

3. The Commission shall maintain a mission and develop a work plan, to be reviewed and approved by the City Council, which will articulate how the listed outcomes will be achieved.

4. The Commission may:

- a. Review and make recommendations on police policies, practices and priorities for consistency with community values;
- b. Provide input on service and resource needs for community safety;
- c. Work on police-related projects as directed by the City Council; and
- d. Provide a forum for addressing public concerns related to police policies and practices

5. The Commission shall not undertake the review of allegations and inquiries related to the actions of individual police officers.

6. The City of Eugene is committed to fair and impartial treatment of all employees, applicants, contractors, volunteers and agents of the City and to provide an environment free from discrimination and harassment, where people treat one another with respect. It is the responsibility of all agents of the city, including volunteers to maintain a work environment free from any form of discrimination or harassment based on race, creed, sex, sexual orientation, color, national origin, age religion, disability, marital status, familial status, source of income or any other legally protected status. The City prohibits unlawful harassment and or discrimination. Accordingly, derogatory racial, ethnic, religious, age, gender, sexual orientation, sexual or other inappropriate remarks, slurs or jokes will not be tolerated.

ARTICLE III. APPOINTMENT, MEMBERSHIP, TERM OF OFFICE

1. The Commission members shall be nominated by the Mayor and appointed by the City Council.

2. The Commission shall consist of:

- a. two members of the City Council
- b. one member from the Human Rights Commission

- c. one member from the Civilian Review Board
- d. eight civilians

3. Members of the Commission shall be city residents or residents of the urban growth boundary who have demonstrated interest and expertise in police matters. Every effort shall be made to assure representation on the Commission is in proportion to the representation of women, ethnic minority group members, people with disabilities and younger and older citizens in the City and its urban growth boundary. Members may represent the following diverse elements of Eugene:

- a. Youth
- b. Students of the University of Oregon and Lane Community College, or other higher education institution;
- c. Persons with a demonstrated interest in law enforcement;
- d. Social service providers;
- e. Educators;
- f. Members of community or neighborhood groups;
- g. Persons engaged in private business;
- h. Persons with a diversity of ethnic and cultural affiliations;
- i. Persons with diverse economic backgrounds and interests;

4. Employees of the City of Eugene or EWEB (Eugene Water and Electric Board) may not serve on the Police Commission.

5. The eight civilian members shall be appointed to a four (4) year term. The terms of the first appointees shall be staggered so that approximately one half of the Commissioners' terms ends after three years. Councilor members shall be appointed annually as part of the process of appointing elected officials to other committees, and shall serve during their terms as councilors. The members from the Human Rights Commission and Civilian Review Board shall serve during their term on such commission, committee or board, or for four years, whichever is less.

6. No member of the Commission shall serve more than two (2) consecutive terms as a member of the Commission.

7. Vacancies on the Commission shall be filled in the same manner as original appointments, and the appointee shall hold office for the remainder of the unexpired term. Except where the vacancy occurs because members from the City Council cease to serve on the Commission, the City Council shall appoint within 45 days of the position becoming vacant. A position becomes vacant upon:

- a. the death or resignation of the incumbent
- b. removal of a member by the City Council for violating Article 6, section 6.
- c. failure of the City Council to reappoint an incumbent at the expiration of his or her term
- d. the incumbent ceases to be qualified for the initial appointment.

8. Commission members shall receive no compensation, but shall be reimbursed for authorized expenses (See Article X, Section 2)

ARTICLE IV. OFFICERS AND DUTIES

1. The officers of the Commission shall be a Chair and Vice Chair (see Article V, Election of Officers)

2. The Chair and Vice Chair shall serve for one (1) year. The election will be held no later than the Commission's regular meeting in June. If the Chair cannot serve a full term, the Vice Chair shall assume the office for the remainder of the Chair's term. If the Vice Chair cannot serve a full term, the Commission shall, at the meeting following the departure from office of the Vice Chair, elect a new Vice Chair to complete the unexpired term. If both the Chair and Vice Chair vacate their respective offices prior to the end of their terms, elections must be held at the following meeting to fill both offices.

3. Commissioners may not be elected as Chair for more than three (3) successive terms.

4. The Chair shall preside at all meetings of the Commission; call special meetings subject to requirements of Article VI; consult with staff on preparation of commission agendas; and perform all other duties necessary or incidental to the office.

5. In the absence of the Chair, or in the event of the Chair's inability to act, the Vice Chair shall perform the Chair's duties. In the event of the absence or inability to act of both the Chair and Vice Chair, the remaining members shall appoint one of their members to act temporarily as Chair.

6. The Chair shall decide on all points of order and procedure during meetings and his/her decision shall be final unless overruled by a majority of the members present.

7. The Chair and Vice Chair are entitled to vote on all issues.

8. The Chair or the Chair's designee is the official spokesperson for the Commission on all matters of community concern that have been duly addressed by the Commission.

9. The Chair and Vice Chair shall:

- a. Conduct orientation of the new commission and committee members
- b. Assist with educating Commission, committee and City Council members on procedures and responsibilities.
- c. Act as liaisons between the Commission and all committees
- d. At the request of the Commission, prepare recommendations on commission bylaws and other administrative manners.

ARTICLE V. ELECTION OF OFFICERS

1. Any member may nominate a candidate from the membership for the position of Chair or Vice Chair. Nominations need not be seconded.

2. A member may withdraw his/her name if placed in nomination, announcing that, if elected, s/he would not be able to serve; s/he may not withdraw in favor of another member.
3. Any member may move to close the nominations; a second is required. If the motion carries, the Chair then calls for the election.
4. The votes of all committee members will be recorded. The candidate who receives a majority of the votes cast becomes the Chair. In the event no candidate receives a majority of the votes cast, a run-off election shall be held between the two candidates receiving the most votes. The same procedure is followed for the election of the Vice Chair.

ARTICLE VI. OPERATING REQUIREMENTS OF COMMISSION AND MEMBERS

1. The Commission shall submit a work plan and report of previous work in writing to the City Council. The report shall list the activities and accomplishments to date and assess these against the Commission's mission and against the yearly work plans. The work plan must be approved by the City Council. As a result of a significant event or unforeseen circumstances, the Commission may request the City Council approve a work plan amendment at any time.
2. All regularly scheduled meetings will be announced in the Public Meetings Calendar the week prior to the meeting and will include a time for public comment.
3. The Commission may make and alter rules for its conduct and procedure providing they are consistent with state law and applicable provisions of the City charter, ordinances, and policies.

ARTICLE VII. MEETINGS, VOTING AND PROCEDURES

1. The Commission shall meet at least six (6) times a year to conduct regular business, with such additional meetings as it deems necessary to perform its duties. Additional meetings may include but are not limited to annual work planning and process sessions.
2. The Commission shall achieve a quorum at a minimum of six (6) of its regularly scheduled meetings each year.
3. Seven (fifty percent plus one of the current membership) commissioners shall constitute a quorum for the transaction of official business. In the absence of a quorum at a meeting, any member present may cancel the meeting fifteen minutes after the scheduled beginning time. If no member is present by fifteen minutes after the scheduled time, the meeting is automatically adjourned.
4. Each voting member of the Commission shall be entitled to vote at all regular and special meetings of the Commission, except that a member shall not vote or take part in discussion as a member when there is an actual or may be a perceived conflict of interest. If a member wishes to abstain in a situation where there is a potential conflict or no direct conflict of interest, but where the public might construe that such a conflict exists, or if a member has a conflict deriving from his or her relationship with

persons involved in the issue, then he or she may ask to abstain. If members are in doubt about the nature of a conflict, they may ask for the advice of the City Attorney.

5. All members of the Commission shall be involved in Commission meetings and may be involved in committee activities, including regularly attending commission and committee meetings.

6. Any member who misses more than three (3) consecutive regular commission meetings, or misses more than four (4) meetings in a twelve month period, with or without a quorum and without having been given a leave of absence by the Commission Chair, may be removed by the City Council upon recommendation of the Commission. If members are unable to attend a meeting of the Commission or a committee, they shall notify the Commission Chair or staff as soon as possible.

7. The Chair shall establish the agenda, after consulting with the Vice Chair and staff. The Vice Chair may forward to staff an alternate agenda one week prior to the meeting to be included in the meeting materials for consideration by the Commission at its meeting. An agenda item may be placed on the agenda or removed by a majority vote of the Commission. Requests to place an item on the agenda may be made by individual commission members, city councilors, staff or members of the public. Through a formal action, City Council may direct the inclusion of an item on the Commission's agenda.

8. The Chair or six (6) members of the Commission may call an emergency special meeting by delivering a written notice to each member of the Commission and providing to the City Manager's Office a written request for notice to media representatives at least 24 hours prior to the start of the meeting. The call and notice shall specify the time and place of the special meeting and the business to be transacted. Seven commissioners shall constitute a quorum for a special meeting.

9. Members shall not vote on a question unless they are present before the vote is called for, or when their names are called by the Chair. Proxies are not permitted.

10. Members may at any time explain their votes, or file written explanations of such votes after the result of the voting has been announced and recorded.

11. In general, communication to and from the public during meetings occurs during the public comment or community dialogue period. Except for the right to vote and to move a motion, the privilege of the floor may be granted to any member of the public at the discretion of the chair.

12. As an alternative to using simple majority votes to make its decisions the Commission may use a consensus method in an effort to incorporate all interests and gather full support for the final decision. In general consensus decision making is appropriate when addressing process and routine issues. The simple majority approach should be used when the Commission is taking a formal position on a topic. Whichever decision making approach is being used, the conflict of interest laws still apply. Any member with an actual conflict of interest must excuse himself / herself from deliberation on the issue.

13. To further its mission, the Commission may agree to invite specific group representatives, civilians or staff to participate with the Commission in the evaluation, discussion and problem solving of specific issues or policies.

14. The Commission, committee and work group meetings shall follow Oregon's open meeting laws.

15. Commission members may refer to Robert's Rules of Order regarding rules of procedure for guidance with respect to the conduct of meetings or points of order.

ARTICLE VIII. STAFF

1. The Police Chief or his designee shall attend all regularly scheduled commission meetings. The Chief is not a voting member of the Commission and shall not be counted for purposes of obtaining a quorum. The Chief shall take all reasonable steps to ensure that the Commission is kept fully informed about all major police issues that may be of concern to the community.

2. The City Manager may, within his or her discretion, furnish staff assistance to the Commission or to the Commission's committees. Staff's main responsibilities are to assist the Commission in its function and to represent the City of Eugene. Other possible responsibilities are outlined in the Boards and Commission Manual.

3. A city staff member shall mail or electronically provide minutes of the previous meeting with the agenda for the next meeting to all members at least five working days in advance of the meeting date. All printed information to be distributed to the members with the minutes will be submitted to staff ten (10) days before the meeting so that the materials may be made available to the media and the public. Only material related to the upcoming meeting agenda will be distributed in the meeting packet.

4. A record must be kept of all public meetings. The record may consist of written minutes, or sound video or digital recording. The record of a meeting, whether preserved in written minutes, or a sound, video or digital recording, must provide a true reflection of the meeting and must, at a minimum, contain the following information:

- a. All members of the Commission present;
- b. All motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
- c. The results of all votes and the vote of each member by name;
- d. The substance of any discussion on any matter;
- e. A reference to any document discussed at the meeting (subject to ORS 192.410 to 192.505 relating to public records)

5. Official city stationary may only be used for official communications authorized by the Commission.

ARTICLE IX. COMMITTEES, PROGRAMS & WORK GROUPS

1. The Commission may establish temporary committees for specific tasks. A majority of the Commission members present is required to form a committee. No temporary committee shall continue for more than six months without City Council approval.

2. The size, term, membership and duties of a committee shall be established by the Commission at the time the committee is approved. Committee membership shall consist of no more than six commission members.
3. Vacant positions on a committee shall be filled by the appointment of a person appointed by the Chair, subject to the approval of the Commission. The Committee may nominate a person for consideration by the Chair. . A position shall be considered vacant under the same conditions as set forth for a vacancy on the Commission.
4. The Chair of each committee is appointed by the Chair of the Police Commission, subject to approval of the Commission. Each committee may elect a Vice-Chair. The Chair shall preside over the committee and shall have the right to vote. The Vice Chair shall perform the duties of the Chair in the absence or disability of the Chair. The officers shall serve for terms of one (1) year or for the term of the committee, whichever is less.
5. Each committee shall meet as it deems necessary to properly perform its duties.
6. Each committee may make and alter rules for its conduct and procedure, providing they are consistent with state laws and applicable provisions of the City Charter, ordinances, policies and commission bylaws. Each committee should be reviewed annually by the Commission to determine whether a continuation of the committee is warranted.
7. Fifty percent plus one of the current membership of a committee shall constitute a quorum for the transaction of official business.
8. The Commission may recommend that the City Council establish any additional committee or task force that the Commission feels will assist the Commission and the City in meeting the goals of the Commission.
9. The Chair of the Committee shall be responsible for calling and developing agendas for all meetings.
10. Committees may base their recommendations upon a consensus or upon majority and minority points of view.
11. Committees may take public actions only with the approval of the Commission.
12. Committee chairs shall submit names of committee members who are frequently absent from the committee meetings to the Commission Chair, who may replace them.
13. Only existing Commission members are eligible to become members of a committee. The Committee may seek input and advice from the community, regardless of committee membership.

ARTICLE X. FISCAL POLICIES

1. As per City ordinance (City Code 2.368) and subject to State law, the Oregon Budget Law and the Charter of the City, the Commission may expend public funds with the approval of the City Manager or

his/her designated representative and may accept contributions and expend the same as long as the funds are related to the Commission's own purposes and work plan and clearly benefit the City.

2. Any member who incurs expenses as a result of Commission work shall submit to the Chair a statement itemizing the expense. The Chair may seek reimbursement for the member from the City Manager or his/her designee. Except for Commissioners' meal expenses at local or in-state activities, expenses shall be approved by the Commission membership prior to disbursement.

3. Members wanting to attend meetings or events to represent the Commission shall first seek approval from the Chair of the Commission to have the trip placed on the agenda of a commission meeting. The membership may then approve spending of commission funds and appoint a member to attend.

4. The fiscal year of the Commission runs from July 1 to June 30.

ARTICLE XI. AMENDMENT OF THE BYLAWS

1. These bylaws may be adopted, by a majority vote at any session of the Commission and will continue in force for the Commission until rescinded or amended. They may be suspended, rescinded or amended by an affirmative vote of seven (7) members of the Commission at a regular or supplementary meeting. Public notice of proposals to amend the bylaws shall be included on a regularly scheduled agenda with notification included in the Public Media Calendar at least one week prior to the meeting where the amendments will be considered by the Commission.



City of Eugene Advisory Groups Member and Staff Manual

In Eugene, community members participate in local government by holding elected office, speaking at public hearings and contributing to public forums, contacting the Mayor and City Council, and participating in neighborhood organizations and community events.

Another way in which Eugene's community members participate in city government is through membership on City of Eugene boards, commissions and committees. Advisory group members interact creatively with people of all ages, interests, and backgrounds -- and provide an invaluable service to the community.

Making local government effective and responsive is a responsibility that belongs to all of us. In the words of Abraham Lincoln: *"Government of the people, by the people, for the people, shall not perish from the Earth."*

In June 2009, the Eugene City Council affirmed desired outcomes in three areas:

1) Representation

The makeup of boards, commissions and committees should over time represent the richness of our community's perspectives, neighborhoods, and population demographics – race and ethnicity, gender, age, socioeconomic class, disability and other factors.

2) Development

Advisory group members are effective and feel satisfied because they have the training and support to be successful contributors – both before becoming candidates for vacancies and following their appointments.

3) Recruitment & selection

Communication and procedures associated with outreach, recruitment, interviews, selection and appointments are fair, accessible, transparent and civil.

Advisory group members give elected officials and City staff greater understanding of community concerns, values and perspectives. The detailed studies and considered advice of boards and commissions are often catalysts for innovative programs and improved services.

Advisory groups play a variety of roles, depending on their specific mission and the changing needs of the community and City of Eugene organization. Committees can function as quasi-judicial, advisory to the City Council and advisory to City department staff.

The following pages provide information and guidelines in the following areas:

Types of Committees

Recruitment and Selection

Roles and Relationships (with Elected Officials and with City Staff)

Ethics and Accountability

Open Meetings, Public Records & Minutes

Communicating with...

Outside Agencies, General Public, Committee Members, News Media

Eugene's Form of Government

How to Conduct a Successful Meeting

TYPES OF COMMITTEES

The City Council has created *five distinct types of committees*:

- Standing committees
- Ad hoc committees
- Department advisory committees
- Intergovernmental committees
- Committees established by Eugene Charter

The authority and charter for these committees originate from different sources: Eugene City Code, City Council action, state statute, intergovernmental agreement, and the City Charter. The boards, commissions, and committees for the City of Eugene are governed by the City Code, Chapter 2, Section 2.013. The Eugene Code is available online at www.eugene-or.gov/citycode. In addition, many advisory groups have adopted protocols and policies that provide guidelines specific to their mission and operations.

Standing Committees

Standing committees are established by ordinance. In general, they make recommendations to the City Council on policy issues and advise City staff on specific operational matters. Standing committees include:

- **Budget Committee** - develops budget recommendations for council action and approves the City's tax rate. This committee is established by state statute (ORS 294.336).
- **Sustainability Commission** - works to create a healthy community now and in the future by proposing measurable solutions to pressing environmental, social and economic concerns to the City of Eugene, its partners and its people.
- **Human Rights Commission** - and its subcommittees advise the City Council on issues of human rights, accessibility and community education and outreach.
- **Planning Commission** - advises the council and serves as a quasi-judicial committee. This committee has the authority to make binding decisions which require or restrict the action of individuals. For example, the Planning Commission hears appeals of Hearings Official decisions.
- **Historic Review Board** - is a subcommittee of the Eugene Planning Commission; it oversees the main components of Eugene's historic preservation program, and makes historic landmark designations.
- **Police Commission** - advises the council and Police Chief on matters of public safety.
- **Civilian Review Board** - was established to increase the transparency of, and public confidence in, the police complaint process. The board evaluates the work of the independent Police Auditor and reviews completed complaint investigations involving sworn police employees.
- **Toxics Board** (Eugene Charter-mandated) - makes policy governing the City of Eugene hazardous material reporting program; by Charter amendment it is authorized to enforce the reporting requirements and impose penalties.

Ad Hoc Committees

Ad hoc committees are authorized by the Mayor to address specific emerging or priority issues. In most cases, the Mayor recommends and appoints members to these groups. The duration of the committees is limited and the scope of work is also limited to a specific charge. Examples of ad hoc committees include the following:

- Amazon Headwaters Committee
- Mayor's Blue Ribbon Committee on Homelessness

Department Advisory Committees

Department advisory committees are administrative in nature because they report to department staff and not to the City Council. Department advisory committees can exist for no more than two years before they are re-evaluated. In general, however, department committees complete their task and disband in fewer than two years.

Members of department advisory committees are appointed by the department manager. These groups are formed on an as-needed basis to develop recommendations for City staff on specific program areas. They are not established by ordinance but must have the approval of the City's executive managers prior to being formed. Examples are:

- Cultural Services Advisory Committee
- Eugene Redevelopment Advisory Committee
- Library Board
- Neighborhood Matching Grant Department Advisory Committee
- Rental Housing Department Advisory Committee

Intergovernmental Committees

Intergovernmental committees are formed as the result of agreements signed between the City of Eugene and other governmental agencies. In some cases, the City Council appoints citizens to represent Eugene on these regional bodies. City Councilors also serve as representatives on some committees. Examples include:

- Lane Regional Air Protection Agency
- Lane Workforce Partnership
- Metropolitan Wastewater Management Commission

Function of Intergovernmental Committees

Intergovernmental committees are advisory to the participating organizations. Citizen members are appointed to a specified term by the City Council. Each year, the Mayor appoints a City Council representative to the intergovernmental committees.

Intergovernmental Committee Application and Appointment Process

Recruitment for intergovernmental committee members begins in January of each year. The deadline for applications is the end of March. Applicants complete an application and supplemental questionnaire; the Mayor (with the help of the committee) nominates and the council appoints. Appointments are made in June; terms dates are determined by the intergovernmental committee.

Recruitment & Selection

The Eugene City Code requires that every effort be made to ensure that the composition of City committees reflects the diversity of the community.

It is the policy and intent of the City Council that in all City Council and mayoral appointments and nominations to each board and commission, every effort will be made to assure

representation on the boards and commissions in proportion to the representation of women, ethnic minority group members, the disabled and younger and older citizens, in the population of the Eugene incorporated city limits. (Resolution No. 3822, Section 1, adopted by the Eugene City Council on December 14, 1983)

City staff are directed to take affirmative action to ensure that members of the above groups (women, ethnic minority group members, the disabled and younger and older citizens) are notified of vacancies and encouraged to apply so that in making appointments, the mayor and council will have a diverse pool of applicants from which to select. (Resolution No. 3822, Section 2, adopted by the Eugene City Council on December 14, 1983)

Recruitment for most department advisory groups occurs each spring, with appointments to terms beginning July 1. Applicants complete an online application and supplemental questionnaire; the council then reviews applications, selects candidates and conducts interviews before making appointments. Appointments are made in June; terms begin on July 1. Terms for standing committees are three years except for the Planning Commission, which has a four-year term.

Reappointment

Members on standing committees may be reappointed for a second term. Incumbents must submit application materials before the recruitment deadline. Individuals who have served the maximum two terms must wait one year before they can reapply for a position on the same committee.

Residency Requirements

Applicants must live within the Eugene urban growth boundary to be eligible for appointment to standing committees. Budget Committee members must also be qualified electors.

Eligibility of City Employees

City of Eugene employees may not serve on City policy committees except as specifically provided by City ordinance, or as required to perform official City duties. This prohibition exists for employees of the Eugene Water & Electric Board (EWEB) as well. EWEB is technically a division of Eugene city government even though the utility runs its operations autonomously.

Serving on Multiple Committees

Members of council standing committees (Budget Committee, Sustainability Commission, Human Rights Commission, Police Commission, Civilian Review Board, and Planning Commission) may serve on two additional department advisory or council ad hoc committees. In some cases, a standing committee member may represent his or her group on another standing committee. For example, there is one Human Rights Commission representative on the Police Commission. In these instances, the standing committee member is permitted to serve on the two standing committees and two additional department or ad hoc commissions.

Department advisory committee and council ad hoc committee members may serve on one additional department or ad hoc committee.

Roles and Relationships

Mayor and City Council

Groups that are advisory to elected officials provide status reports, written findings, and recommendations in several ways. One is through the weekly City Council agenda packet. Committee reports must be approved by the committee before being submitted to the council. The committee's staff person is responsible for placing the recommendations in the council packet and for scheduling committee reports for action by the council.

In some cases, a committee may need direction from the City Council in order to define and accomplish its work plan. Committees receive this type of instruction during City Council work sessions. City staff can place the committee's item on the City Council agenda by working with staff in the City Manager's Office.

Some committees, such as the Planning Commission, also communicate with the Mayor and Council through assigned council liaisons, "buddy" assignments that match committee members with elected officials, and by setting occasional meetings with one or more elected officials to discuss current issues.

Standing and ad hoc committees make recommendations to the City Council. The City Council then accepts, rejects or modifies those recommendations. The council relies on various committees to increase the variety of viewpoints and talents brought to bear on City issues. By concentrating on specific areas, committee members can expand the level of expertise with which to address an issue and can conduct detailed analyses that the council itself may not have the time to pursue.

It is expected that committees will adopt positions of advocacy within their specific spheres of interest. However, the council's role is to take into consideration the many varied and sometimes conflicting public needs and render its judgment of what will best serve the public good. The council must weigh the effect of any given recommendation, not only on the particular area of interest, but on all other City goals and programs.

Standing and ad hoc committees transmit their written findings and recommendations to the council through the weekly City Council agenda packet. Committee reports must be approved by the committee before they are submitted to the council. The committee's staff person is responsible for placing the recommendations in the council packet and for scheduling committee reports for action by the council. For information about council packet specifications, please contact the City Manager's Office at 687-5010.

In some cases, a committee may need direction from the City Council in order to accomplish its task. Committees receive this type of instruction during City Council work sessions. City staff can place the committee's item on the City Council agenda by working with staff in the City Manager's Office.

Occasionally, a committee will take a position on an issue that is under consideration by the City Council but not on the committee's work plan. Committees also take advocacy positions on community issues and work with community allies. Committees should express opinions on council matters through a letter from the committee chair to the City Council. City staff can assist in the preparation of such letters. The entire committee should review and approve the letter before sending it to the council and a record of the letter should be kept by committee staff.

Staff recommends consideration of the following factors in developing a protocol for taking positions:

Public notice - Communicating the group's intention to community members, interest groups, affected individuals and organizations, and others when considering and potentially taking a policy position. Communicating processes and results in timely, effective ways.

Balanced input - Providing an opportunity for persons with differing opinions to weigh in. Maintaining fair, open and accessible processes.

Advisory group role - Connecting the committee to the issue or item, so that its unique contribution to the discussion or activity is consistent with the group's charge and makes sense.

Triple bottom line - Emphasizing outcomes that support social equity, economic prosperity and environmental health.

Committee Support Staff

City staff performs administrative and housekeeping functions and does not vote. City employees have a responsibility to ensure the committee is aware of laws and administrative processes affecting proposed policies and operational recommendations. City staff should take the initiative to inform committee members about activities, projects, and work that is taking place elsewhere in the organization and among other committees.

Committee staff must be constantly aware of the responsibility to represent overall council priorities and policies of the City. Staff should also present a balanced report on controversial issues, so that both positive and negative aspects can be readily identified.

Staff's main responsibilities are to assist the committee in its functions and to represent the City of Eugene. Other responsibilities may include the following:

- provide professional and technical advice
- provide clerical assistance for the preparation, duplication and distribution of committee letters and reports
- arrange for accommodations for persons with disabilities
- maintain public records created by the committee, including minutes or action summaries, reports, recommendations, and letters, as required by state law
- prepare the committee agenda in consultation with the chair
- notify committee members and the City Manager's Office of upcoming meetings; (contact the City Manager's Office to place meeting information on the Public Meetings Calendar)
- prepare appropriate reports based on the committee's deliberations and action for the council agenda
- ensure adherence to the required council report format and timetable for submittal
- maintain a current copy of the Boards and Committees Manual and bring it to the committee meetings
- secure meeting rooms for committee meetings, and
- assist in mobilizing resources needed for the research and preparation of committee reports

In most cases, requests for extensive staff work or report preparation should be approved by the department director to ensure that the resource allocation is in accordance with budget priorities. If a committee desires information or a report which will require a significant amount of staff time, the committee should request City Manager or department director approval to pursue the project. The committee should provide information to staff regarding urgency of the referral. Following this procedure will prevent staff from being diverted from a priority project.

Committee Member Responsibilities

Chair

The chair performs the following duties:

- Presides at all meetings of the committee
- Appoints subcommittees and chairs of subcommittees subject to the approval of the committee
- Approves the agenda prior to distribution
- Signs correspondence on behalf of the committee
- Represents the committee before the City Council with the approval of the committee
- Performs other duties necessary or customary to the office

The most important duty of a chair presiding over a meeting is to ensure that the work of the committee is accomplished. To this end, the chair must exert sufficient control to eliminate irrelevant, repetitious or otherwise unproductive discussion. At the same time, the chair must ensure that all viewpoints are heard and are considered in a fair and impartial manner.

Transfer of Chair

In the event the chair is absent or unable to act, the vice chair presides in place of the chair. In the absence of both the chair and the vice chair, the remaining members shall elect one of their members to act as temporary chair.

Individual Committee Members

Unless authorized by the committee, an individual committee member may not represent the committee before any other committee, outside agency, the media, or the general public. When an individual committee member is appearing in a private capacity before other committees, outside agencies, or the general public, the committee member must clearly indicate that he or she is speaking as a private individual, not as an official representative. Official City stationery may be used only for official communications authorized by the committee.

Each committee member also has the obligation to work cooperatively with other committee members. Committee members should exercise self-discipline and strive always to be objective, fair and courteous with each other as well as with staff and the public. A healthy respect for the time of other committee members, staff, and the public is of critical importance.

Subcommittees

At times, a subcommittee of the body may be needed to do additional work. Subcommittees can be formed either at the request of the whole committee or by the chair, with the confirmation of the committee.

A temporary subcommittee is made up of two or more committee members but fewer than the existing quorum of the body. Only existing committee members are eligible to become members of a subcommittee; however, the committee may seek input and advice from the community. Subcommittees of the Human Rights Commission are exempt from this policy, as these groups are made up of Human Rights commissioners and additional community members. Subcommittees should be reviewed annually by the committee to determine whether a continuation of the subcommittee is warranted.

Work Program

Many committees find it effective to establish a yearly work program or goals statement. A work program is a planning document that specifies how and when the objectives (outcomes) that the committee expects to accomplish during the year will be achieved. Goal statements explain the nature and scope of the work to be performed and the time needed to accomplish the goal. The nature of the duties of specific committees may determine which method is most suitable.

Reporting Completed Work

Standing and Ad Hoc Committees

It is the responsibility of standing and ad hoc committees to provide complete, concise and accurate reports to the council. These documents should be prepared in such a manner that the City Council fully understands the issue and what action, if any, is to be taken. A committee report should include a clear recommendation, the reason for the recommendation, the facts on which it is based, points of disagreement within the committee or with staff, and a minority recommendation, if any.

Quality committee reports and recommendations take into account the council's necessity to view an issue from as wide an angle as possible. The council must fully understand the relevant background and implications, including costs, of each action it is asked to take. It is the committee's responsibility to provide that requisite information insofar as it is possible.

Submission of quality reports will enable the City Council to act knowledgeably and expeditiously on committee reports and will reduce the likelihood of the council referring the report back to the committee for clarification.

Department Advisory Committees

The same need for high-quality work exists for department advisory committees as it does for other boards and committees. Department advisory committees receive a specific charge when they are formed. The recommendations of these bodies should address that charge.

Department advisory committee reports are presented to City staff for consideration. These groups disband once they have delivered their recommendations to the department.

Food and Beverage

Because of budget constraints, departments generally are unable to provide full meals at regular board, committee and commission meetings. However, many advisory groups enjoy light snacks.

Training and Travel

Through advisory group orientation, special forums and other sessions, we support member development. Additionally, departments sometimes offer external training for members, ranging from the Oregon Planning Institute for Planning Commissioners and a regional diversity institute in Portland for Human Rights Commissioners. Except in the most unusual circumstances, the City does not provide out-of-state and high-cost training opportunities, generally keeping training costs below \$150 per member in a 12-month period.

Interconnectedness of Boards and Commissions

It is becoming increasingly important to tie and coordinate the work of boards and commissions to the efforts of other advisory groups. With the help of City staff, advisory group members look for areas of common interest and focus among different boards and commissions, and identify opportunities for collaboration, efficiencies and info-sharing.

Ethics and Accountability

Conflict of Interest

Members of Eugene's committees provide advice to the City Council, study various civil matters and, in the case of certain committees, function in a quasi-judicial capacity. Precise relationships vary in that some of these quasi-judicial determinations may be appealed to the City Council and others may not. All members of committees should be aware of the need to avoid any instance or appearance of conflict of interest. Conflict of interest standards are generally applicable to all committees. Additional requirements may be applicable to particular boards and committees. Staff should contact the City Attorney's Office for answers to specific questions about government ethics.

Respectful Environment – No Harassment

Members of City boards, commissions, and committees are agents of the organization and are subject to City policies related to maintaining a respectful work environment:

The City of Eugene is committed to fair and impartial treatment of all employees, applicants, contractors, volunteers, and agents of the City, and to provide a work environment free from discrimination and harassment, where people treat one another with respect. It is the responsibility of all employees to maintain a work environment free from any form of discrimination or harassment based on race, creed, sex, sexual orientation, color, national origin, age, religion, disability, marital status, familial status, source of income, or any other legally protected status. The City prohibits unlawful harassment and/or discrimination. Accordingly, derogatory racial, ethnic, religious, age, gender, sexual orientation, sexual, or other inappropriate remarks, slurs, or jokes will not be tolerated. [Administrative Policies and Procedures Manual, Section 1.4 (Revised 05/14/04)]

Absenteeism

All members shall take an active role in their committees, including regularly attending committee meetings. No distinction is to be made between excused and unexcused absenteeism, since it may be a source of misinterpretation.

Any member who misses more than three consecutive, regular meetings without having been given a leave of absence by a majority vote of the committee may be removed by the appointed authority upon recommendation of a majority of the committee. If members of the committee are unable to attend a meeting, they shall notify City staff as soon as possible. These policies on absenteeism are superseded by any bylaws of individual committees.

Resignation Procedure for Committee Members

A committee member wishing to resign shall submit a letter of resignation to the City staff person responsible for his or her committee. The City staff person shall then notify the committee and the City Manager's Office that a vacancy exists.

Statement of Economic Interest Required

The State of Oregon requires that public officials file an annual statement of economic interest. This law also applies to the City of Eugene Planning Commission. The statement of economic interest asks for information about sources of household income, business interests, and other financial matters. Specific dollar amounts are not requested. The purpose of the form is to make general information about a public official's income sources and business relationships available to the public.

This form must be submitted to the State of Oregon by April 15 of each year. The City Recorder's Office provides the information to Planning Commission members, and the State of Oregon provides the forms for completion.

Incompatible Public Offices Prohibited

The common law doctrine of incompatible public offices prohibits a public official from occupying two public offices which are incompatible in terms of their duties and/or the likelihood of divided loyalties. If a committee member in an elected or appointed office is applying for appointment to a second public office, staff should contact the City Attorney for advice as to whether the two offices may be deemed incompatible.

Use of Official Position or Office to Obtain Financial Gain

Oregon statutes clearly state that public officials may not use their position to receive financial gain. Oregon Revised Statutes (ORS) 244.040 states that:

No public official shall use or attempt to use official position or office to obtain financial gain or avoidance of financial detriment that would not otherwise be available but for the public official's holding of the official position or office..."

For more information, please refer to the Oregon Government Standards and Practices Committee guidebook.

Open Meetings, Public Records and Minutes¹

Meetings must be held within the city limits of Eugene and only at the place specified on the agenda. Once convened, such meetings may be adjourned to another location within the city if unusually large crowds or other circumstances warrant.

With very limited exception, all meetings of governing bodies, which include standing and ad hoc committees of the governing body, are open to the public in the state of Oregon. ORS 192.620 establishes Oregon's policy of open decision-making by governing bodies:

Oregon Public Meetings Law authorizes governing bodies to meet in executive session in certain limited situations (ORS 192.600). The City Attorney and the City Manager's Office must be consulted if a committee feels it must conduct a meeting in executive session. The occasions when an advisory body may legally meet in closed session are very limited and the occasions when a committee could adjourn to an executive session are rare.

Public Hearings, Public Forums, and Workshops

Public hearings are relatively formal proceedings and follow legally required steps preceding action by a committee sitting as a quasi-judicial body. A public hearing must include specific elements which are recorded in the minutes, such as testimony from an applicant, appellant, or interested citizens, or an introduction into the record of pertinent facts and findings. Contact the City Manager's Office at 682-5010 for details.

Public forums are an opportunity for committees to receive public input in a less formal

¹ Generally, department advisory committees are not public bodies for purposes of Oregon's public meetings law. However, the City has decided that many of the requirements applicable to the City's other advisory committees should apply to department advisory committees as well.

atmosphere. It is a chance for citizens to ask questions and express support or concern for proposals being considered.

Workshops are designed to elicit citizen input in the least formal manner, allowing maximum interaction between citizens and committee members. Frequently, workshops are held on a drop-in basis. Citizens can learn more about certain proposals and then can register their impressions of the ideas. Workshop sessions do not culminate in action at that meeting. Legally required actions or recommendations should be taken at either the next regular meeting or at another publicly announced date and time.

Public Records

State of Oregon Administrative Rule 166-30-016 requires each city to appoint a City Records Manager/Archivist to establish a records management program to insure orderly retention and destruction of all public records, and to insure the preservation of public records of value. In Eugene, the City Recorder has been assigned this responsibility.

The state also provides minimum retention schedules for records and files generated by city governments. The City Recorder works with all City departments to develop retention and destruction schedules for all records generated. No records may be destroyed unless the minimum retention period has been determined in accordance with the state-authorized Records Retention Schedule. Contact the City Recorder's Office for additional assistance.

Notice of Meetings, Agenda and Public Record

All committee meetings are open to the public. State law requires that the City of Eugene provide public notice of all meetings. To comply with this requirement, the City of Eugene publishes a weekly calendar of upcoming meetings. This calendar is sent to the news media each week and is posted to the City's website. Contact the City Manager's Office for details on how to place meetings on the public calendar.

In addition, discussion and materials distributed during public meetings are public record. For additional, detailed information, please see the Attorney General's Public Records and Meetings Manual: http://www.doj.state.or.us/pdf/public_records_and_meetings_manual.pdf

City policy and public meetings law requires that committees provide at least 24-hour notice to the news media and interested persons before conducting a meeting. If City staff is unable to provide 24-hour notice, the meeting should be rescheduled.

Committees may, in rare circumstances, hold an emergency meeting without providing 24-hour notice. This may only be done in a genuine emergency and staff must document the reasons for the meeting in the minutes.

Record of Meetings

A record must be kept of all advisory group meetings. Oregon's Public Meetings Law requires that a public body have a sound, video or digital recording or written minutes of its meetings. While written minutes need not be a verbatim transcript, the record of a meeting, whether preserved in written minutes or a sound, video or digital recording, must provide a "true reflection" of the meeting and must, at a minimum, contain the following information:

- members present;
- motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
- results of all votes and, except for public bodies consisting of more than 25 members, unless requested by a member of that body, the vote of each member by name;

- the substance of any discussion on any matter; and
- subject to the Public Records Law, a reference to any document discussed at the meeting.

The committee's staff person is responsible for arranging for the meeting record, and can arrange for a Minutes Recorder if written minutes will be kept of the meeting. If minutes are taken, they must be presented to the committee for approval, and the committee may by motion make correction(s) to conform to fact. Corrected minutes should be included in the agenda packet at the next regular meeting. The official copies of minutes are retained in the department permanently. Other documents, such as agendas and memos, should be retained for five years. Contact the City Recorder for details.

Department Advisory Committee Action Summary

City staff is responsible for maintaining desired written summaries for each department advisory committee meeting. Action summaries should include the list of members present at each meeting, the topics of discussion and the outcome of all votes or decisions made by the group.

Under existing Public Records Law, any documents created by department advisory committee are public records. If action summaries are made, they should be retained in the department permanently. Significant related records, such as staff reports, correspondence and agendas, must be retained for a period of five years.

Quality committee reports and recommendations take into account the council's obligation to view an issue from as wide an angle as possible. The council must fully understand the relevant background and implications, including costs, of each action it is asked to take.

Requirement to be Accessible to Public

All public meetings must be accessible to people with disabilities. All committee meetings must be held at wheelchair-accessible locations. This includes the approach to the facility, entry, path of travel within the facility, and restrooms.

Communication Access

All committees must provide communication access in the form of accommodation to members of the public so that they may have an equal opportunity to participate in, and benefit from, committee meetings. This particularly affects citizens who are vision- or hearing-impaired, and may involve requests for such accommodations as providing meeting agendas in large print or Braille, utilizing the City's assistive listening devices, or the provision of a sign language interpreter at the meeting.

It is the responsibility of the City staff person to arrange for accommodations at no cost to the requesting individual. The City of Eugene asks that requests be made 48 hours prior to the meeting. Staff should contact the City's American's with Disabilities Act Coordinator with questions about accommodation procedures, resources, and costs.

Communicating with Outside Agencies, General Public, Committee Members and News Media

Outside Agencies

Unless specifically authorized by the council, committees may not represent the policy of the City of Eugene. Committees function in an advisory capacity and, in the absence of specific direction from the council, may not directly communicate with outside agencies.

General Public

The purpose of committee meetings is to permit open discussion on specific topics in a setting that is more informal than a council meeting, to hear public expression on issues, and to inform the public of what the committee is doing. Committee members have an obligation to consider the welfare of the entire City, to be fair, objective, and courteous, and to afford due process to all who come before them.

All communications from the committee to members of the public should be transmitted through the committee's City staff person. Similarly, communications received by the staff should be relayed to the committee with its agenda.

Communicating with News Media

In order to inform the public as much as possible of committee activities, the committee's staff person should provide the media with pertinent information. Information concerning items of particular interest to be discussed at future meetings as well as recent newsworthy actions of the committee should be regularly provided to the media. City staff should make use of the public information staff in their departments to issue these news releases. Copies of all news releases should be sent to the Communications Director in the City Manager's Office.

Eugene's Form of Government

Mayor/Council/Manager System

In 1944, the citizens of Eugene adopted the council/manager form of government. In this form of government, the City Council develops legislation and policies to direct the City, and hires a professional manager (the City Manager) to oversee City of Eugene personnel and operations and to carry out the City Council's direction.

Mayor

The Mayor serves as the City's political head and chair of the council. He or she is elected by the city at-large on a nonpartisan ballot for a four-year term of office. The Mayor is the formal representative of the City. He or she presides over City Council meetings but has no vote except in the case of a tie. The Mayor can veto any decision, but a two-thirds vote of the council can override the veto.

City Council

The City Council, Eugene's legislative body, has eight members. Councilors are elected on a nonpartisan ballot for four-year terms, with one member elected from each of eight wards. New wards may be created or the boundaries of wards changed by council action. One-half of the council is elected every two years. The council may fill vacancies that arise in elected offices by appointment until the next duly elected person takes office.

The council sets City goals, enacts legislation, adopts policies and plans, and determines the services the City provides. The council adopts the City budget, which specifies how much money can be spent for each City service. The Mayor and council also appoint citizen committees to advise the City on a wide range of issues.

Each year, the council elects two of its members to serve as president and vice president. The president presides over the council in the Mayor's absence and often represents the Mayor and council on special occasions. All council proceedings are open to the public, except for properly called executive sessions.

City Manager

Under the council/manager form of government, the council appoints a City Manager who manages the City's staff and departments. The City Manager is responsible for the day-to-day operations of the City of Eugene. The manager hires an assistant city manager and department heads to assist in providing City services and enforcing City ordinances. The City Manager also prepares an annual budget for review by the council and Budget Committee and provides reports and recommendations to the Mayor and council.

City Ordinances

City ordinances generally become effective 30 days after they are approved by the council and signed by the Mayor. The Mayor has 10 days to approve or veto a decision of the council. The council may, by a two-thirds majority, override the Mayor's veto. Exceptions:

- An emergency measure needed to ensure the health, peace, and safety of the City is effective immediately following a favorable vote by two-thirds of the council.
- Certain ordinances with an effective date greater than 30 days following approval to allow orderly implementation.

How to Conduct a Successful Meeting

Five steps to a better meeting:

I. Plan

1. Set the agenda in advance and state the purpose of the meeting
2. The agenda should include the date, time, subject and estimated length of the meeting
3. List the participants
4. State the goal for each agenda item: Information, Discussion, or Decision
5. Distribute background material in advance

II. Inform

- Send out the agenda with enough lead time to prepare members for the discussion

III. Prepare

- Structure the agenda so that the most important issues get covered first and there is adequate time for full discussion
- Check the agenda at the start of the meeting for additions or deletions
- Decide if a facilitator is needed and, if so, make arrangements to include planning time with the facilitator

IV. Structure and Control

- Define the issues and stay focused on them
- Clarify and enforce any ground rules
- Avoid "spinning your wheels"
- Use a facilitator if appropriate
- Assign a time keeper if a facilitator is not used

V. Summarize and Record

- Assign follow-through: Who does what and by when?
- Commitments should be stated and recorded
- A summary of significant items, including assignments, should be prepared by staff and distributed promptly.

Tips on chairing a meeting

- Follow the agenda and state clearly which item is being considered
- State the purpose of each agenda item and the time allotted to it
- Recognize persons to speak in the order in which they have sought recognition
- Keep participation balanced. Discourage domination by one or two committee members
- Solicit input from those who have not spoken on an issue
- Halt side discussions among one or two members while another person has the floor
- Outside the meeting, confront cases of persistent late arrival, early departure, or absenteeism
- Summarize at the conclusion of each agenda item: What was agreed upon and who shall do what by what date?
- Clearly restate what is being voted upon

For additional tips on running meetings: www.robertsrules.com

POLICY MANUAL (UPDATED FORMATTING)

Policy #	Title	Effective Date	Policy #	Title	Effective Date		
1	100	Law Enforcment Authority	02.27.15	61	810	Release of Public Records	10.11.10
2	101	Command Authority	02.27.15	62	820	Animal Welfare	03.02.15
3	102	Public Safety Certification	02.27.15	63	900	Prisoner Processing Area	08.25.14
4	104	Oath of Office	02.27.15	64	902	Searches of Detained Persons	02.21.14
5	106	Policy Manual	02.27.15	65	903	Storage of Prisoner Property	08.25.14
6	200	Organizational Structure	03.30.15	66	1019	Performance Awards	01.15.15
7	201	Fiscal Management	07.15.14	67	1020	Personnel Complaint Procedure	12.01.14
8	203	Department Facilities	06.27.14	68	1028	Workplace Harassment Preventio	12.01.14
9	204	Internal Written Communication	05.10.10	69	1200	Crisis Intervention Assistance	12.16.08
10	205	Criminal Justice Info System	12.01.14				
11	208	Department Training	08.25.14				
12	212	Electronic Mail	05.12.10				
13	215	EPD Logo and Tag Line	02.16.11				
14	300	Use of Force	10.15.14				
15	301	Use of Force Reporting	04.30.15				
16	306	Flexible Restraint Device	07.15.14				
17	307	Carotid Restraint	01.01.14				
18	308	Hancuffing & Control Holds	08.04.14				
19	309	Taser Use	04.30.15				
20	310	Deadly Force Investigations	09.29.14				
21	311	Spit Hoods	07.15.14				
22	313	Edged Weapons	01.01.14				
23	314	Vehicle Pursuits	02.21.14				
24	316	Officer Response to Calls	02.01.14				
25	318	Canine Policy	03.08.13				
26	320	Domestic Violence	01.01.14				
27	322	Search and Seizure	02.21.14				
28	324	Juvenile Custody Policy	10.05.12				
29	330	Child Abuse Reporting	10.15.08				
30	332	Missing Person Reporting	05.12.11				
31	334	AMBER Alerts	11.21.08				
32	335	A Child Is Missing	05.12.11				
33	345	ATLs	05.05.11				
34	368	Limited English Profeciency Servic	06.24.09				
35	370	Comm. with Disabled Persons	06.15.09				
36	380	Child Safety Policy	08.01.09				
37	382	Service Animal Policy	04.20.09				
38	402	Professional Police Contacts	01.15.15				
39	405	Preliminary Investigations	06.05.13				
40	409	Prisoner Transports	12.29.14				
41	410	Prohibited Camping Enforcement	07.15.14				
42	411	Trespass Letters	12.23.09				
43	413	Evacuate, Abondon, Withdraw	12.16.08				
44	418	Mental Health Crisis Response	04.20.09				
45	420	Citations In Lieu of Custody	01.01.14				
46	425	Law Enforcement DV	12.29.14				
47	434	Aircraft Accidents	08.01.09				
48	435	Airport Procedures	05.31.10				
49	451	Jail Van Procedures	09.29.14				
50	452	Medical Marijuana	06.24.09				
51	458	Foot Pursuit Policy	02.01.09				
52	502	Traffic Collision Reporting	03.02.15				
53	510	Vehicle Tows and Inventories	02.21.14				
54	601	SWAT	11.03.14				
55	602	Explosives Disposal Unit	12.01.14				
56	606	Civil Forfeiture	01.15.15				
57	710	EPD Locker Room	08.15.12				
58	800	Crime Analysis Unit	07.15.14				
59	803	Drug Collection Disposal Program	10.05.12				
60	804	Evidence and Property Handling	01.01.14				

POLICY MANUAL (NEEDS NEW FORMATTING)

Policy #	Title	Effective Date	Policy #	Title	Effective Date		
70	101.2	Patrol Strategy	05.21.99	130	308.24	False Name Reporting	12.31.93
71	101.3	Honor Guard	05.21.99	131	308.25	UUV	04.03.00
72	101.5	Police Cadet Program	03.29.99	132	308.26	Fraud Investigations	07.15.99
73	101.6	Community Service Officers	05.21.99	133	308.27	Alarm Response	11.15.04
74	101.7	Peer Support Team	01.15.02	134	308.31	3050 Shoplifting Program	04.15.99
75	101.8	Police Chaplin Program	02.05.01	135	308.32	Park Use Restriction	07.14.06
76	201.1	Outside Employment	07.15.99	136	308.33	Videotaping Events	11.01.00
77	201.3	Residential Telephone	12.31.93	137	308.34	Stalking Incidents	07.31.06
78	201.5	On Duty Injury or Exposure	03.05.07	138	308.35	Graffiti	09.01.00
79	201.7	Background Investigations	09.01.00	139	308.36	Lost or Mislaid Property	12.11.00
80	201.8	Out of Town Travel	11.01.05	140	308.38	Child Abductions	01.15.02
81	201.11	Respiratory Protection Program	08.01.04	141	308.39	Social Security Numbers	07.01.04
82	201.12	Probation Review Committee	08.18.04	142	308.5	Field Photographs	08.28.02
83	204.1	News Media	07.01.02	143	308.6	Death Investigations	11.15.99
84	204.3	Ride Alongs	07.01.02	144	308.7	Sexual Assault Investigations	07.01.02
85	206.1	On Duty Break Periods	12.24.99	145	308.9	Elderly Abuse	11.15.99
86	206.4	Transfers and Assignments	07.15.99	146	401.1	Report Preparation and Submissi	02.14.00
87	206.5	Overtime	09.01.00	147	402.1	Risk Claim Procedures	02.14.00
88	206.6	Extra Duty Overtime	02.14.00	148	501.2	Warrant Arrests	11.15.99
89	206.7	Supervisory Overtime	02.14.00	149	501.4	Fingerprint Pads	03.29.99
90	206.8	Absence from Work	12.24.99	150	501.5	Immunity From Arrest	10.10.99
91	206.9	Assignment of Modified Duty	07.15.99	151	501.6	Foreign Nationals	10.10.99
92	301.1	Department Vehicles	07.15.99	152	601.3	Evidence Collection	05.21.99
93	301.2	Patrol Vehicle Assignment	07.15.99	153	601.5	Rape Kit Procedures	02.05.01
94	301.3	Vehicle Maintenance	07.15.99	154	601.6	Computer Related Evidence	02.12.02
95	301.4	ICV System	06.15.13	155	601.7	Handling Suspected Stolen Merch	04.18.06
96	301.5	Vehicle Equipment	09.10.99	156	602.2	Recovering Stolen Vehicles	12.31.93
97	301.8	Contaminated Vehicles	07.15.99	157	602.3	Releasing Impounded Vehicles	02.01.03
98	301.9	Mobile Data Computers	01.15.02	158	602.4	Parking Impounds	12.11.00
99	302.1	Patrol Briefing and Debriefing	09.10.99	159	701.1	Court Appearances	09.01.00
100	302.4	Department Cell Phones	12.15.03	160	702.1	Extradition	12.31.99
101	303.1	Citation Issuance	03.29.99	161	801.11	Public Assemblies	05.16.01
102	303.13	Speed Measuring Devices	09.10.99	162	801.1	Large Scale Incidents	07.01.02
103	303.3	Traffic Control and Direction	04.03.99	163	801.2	Command Post	03.26.99
104	303.4	Traffic Services	12.24.99	164	801.3	Civil Disturbance	05.16.01
105	303.5	Parade Permits	04.03.00	165	801.4	Hostage or Barricaded Subjects	08.01.04
106	303.6	Decoy Car Program	06.23.03	166	801.5	Field Force	05.16.01
107	303.7	Traffic Hazards	02.14.00	167	801.6	Strikes and Labor Disputes	03.26.99
108	303.8	Traffic Enforcement	07.15.99	168	801.7	Line of Duty Deaths	09.01.00
109	303.9	Traffic Enforcement on UofO	09.10.99	169	801.9	Incident Command System	09.01.00
110	304.13	Investigative Funds	12.31.93	170	802.1	Mutual Aid	03.26.99
111	304.1	Case Management	09.01.00	171	802.3	CENS Messages	12.15.03
112	304.3	Covert Investigations	05.15.00	172	901.5	Patrol Rifle Deployment	01.15.02
113	304.4	Search Warrants	08.01.04	173	901.7	Post-Traumatic Incident Procedur	02.05.01
114	304.5	Informants	04.15.05	174	1001.1	Personal Appearance	02.05.01
115	304.6	Polygraph	04.03.00	175	1001.2	Uniforms	09.10.09
116	304.7	Specialized Investigative Equip.	05.15.00	176	1001.3	Equipment	01.01.03
117	304.8	Sex Offender Registration	05.15.00	177	1001.4	Contaminated Uniforms	01.15.02
118	304.9	Sensitive Criminal Investigations	09.16.04	178	1001.5	Electronic Asset Cabinet	12.14.06
119	305.2	Runaway & Missing Juveniles	09.15.99	179	1101.1	Code of Conduct	10.10.99
120	306.1	Outside Agency Assistance	05.21.99	180	1101.4	Off Duty Intervention	10.10.99
121	306.2	Water Rescue	05.21.99	181	1101.6	Ceremonial Procedures	12.31.99
122	306.3	Search and Rescue	05.21.99	182	1102.4	Commendations	05.21.99
123	307.11	Volunteers in Policing	09.10.99	183	1201.12	Bike Team	10.01.02
124	308.11	Civil Disputes	12.31.93	184	1201.13	Desk Report Officer	05.21.99
125	308.13	Bias Crimes	10.01.99	185	1201.14	Drug Recognition Officers	12.24.99
126	308.15	Welfare Check	12.31.93	186	1201.2	Court Liaison	09.01.00
127	308.16	NonCriminal Detox	12.31.93	187	1201.7	Crisis Negotiation Team	08.01.04
128	308.21	Gang Member Contact	02.01.03	188	1202.1	School Resource Team	09.01.00
129	308.23	Illegal Drug Labs	07.14.06				