

**BYLAWS AND RULES OF PROCEDURE FOR THE
ORGANIZATION OF AND CONDUCT OF BUSINESS
BY THE BEAVERTON TRAFFIC COMMISSION**

ARTICLE I

General

SECTION 1. Explanation and Interpretation.

A seven member City Traffic Commission has been established by Ordinance No. 3875, as amended. Ordinance No. 3875 was enacted by the City Council pursuant to the authority of the home rule Charter of the City of Beaverton. The Council has also adopted other ordinances, resolutions, and policy statements relating to the organization, powers, duties, and procedures of the Commission. The Commission is empowered to adopt and amend rules and regulations to govern the conduct of its business, consistent with the Charter and ordinances of the City and official policies promulgated by the Council. To the extent consistent with the charter and ordinances of the city, as well as other applicable laws, this resolution sets out the complete rules governing the organization and procedures of the Traffic Commission.

ARTICLE II

Responsibilities of Commission

SECTION 1. Responsibilities.

The purposes, objectives, and responsibilities of the City Traffic Commission shall be to:

- A. Review and provide advice to the Traffic Engineer and City Council on "Major Issues" as defined by and in accordance with Section 6.02 of the Beaverton Code.
- B. Assist the Traffic Engineer in promulgating standards and policies relating to neighborhood traffic management.
- C. Review and comment upon specific proposed changes to traffic patterns or programs proposed by the City, and/or facilities owned and maintained by the County or State.
- D. Select a chair and develop procedures and by-laws.

SECTION 2. General Procedures.

- A. Anyone requesting that an item be reviewed by the Traffic Commission shall put that request in writing to the Traffic Engineer, who shall determine in his/her sole discretion whether to place any matter on the agenda. The Traffic Commission may, by majority vote, direct that an issue be placed on a future agenda.
- B. The Traffic Engineer shall schedule matters before the Traffic Commission and shall prepare a report including all relevant technical standards and information for use by the Commission in formulating recommendations.
- C. All meetings of the Traffic Commission shall be subject to the Oregon Open Meetings Law.

ARTICLE III

Officers

SECTION 1. Officers.

The officers of the Commission shall be a Chairperson and Vice-Chairperson. The City Traffic Engineer shall act as staff to the Commission. The Recorder shall be a staff member designated by the City Traffic Engineer.

SECTION 2. Election.

- A. The Chairperson and Vice-Chairperson shall be elected at the first meeting of each calendar year for a term of one calendar year, and shall serve until their successors are elected.
- B. If the office of the Chairperson or Vice Chairperson becomes vacant, the Commission shall elect a successor from its membership who shall serve the unexpired term of the predecessor.
- C. Nominations of officers shall be by oral motion. At the close of nominations, the Commission shall vote by voice vote upon the names nominated for the office.

SECTION 3. Chairperson.

- A. Except as otherwise provided herein, the Chairperson shall have the duties and powers to:
 - 1) Preside over all deliberations and meetings of the Commission;
 - 2) Vote on all questions before the Commission;
 - 3) Call special meetings of the Commission in accordance with these bylaws;
 - 4) Sign all documents memorializing Commission action promptly after approval by the Commission. The power to sign reports and other documents of the Commission may be delegated to the Recorder.
- B. All decisions of the Chairperson as presiding officer shall be subject to review by a majority of Commission members present upon motion duly made and seconded, which motion shall have priority over all other matters.

SECTION 4. Vice-Chairperson.

During the absence, disability or disqualification of the Chairperson, the Vice-Chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the Chairperson. In the absence of the Chairperson and Vice-Chairperson, the remaining members present shall elect an acting Chairperson.

SECTION 5. Recorder.

- A. The Recorder shall:
 - 1) Maintain an accurate, permanent and complete record of all proceedings conducted before the Commission;
 - 2) Prepare the minutes for all Commission meetings;

- 3) Give all notices required by law;
 - 4) Inform the Commission of correspondence relating to Commission business and conduct correspondence of the Commission as directed by the Commission;
 - 5) Attend all meetings and hearings of the Commission or send a designee;
 - 6) Compile all required records and maintain the necessary files, indexes, maps and plans.
- B. The Recorder shall maintain records indicating all applications, appeals, hearings, continuances, postponements, date of sending notice, final disposition of matters and other steps taken or acts performed by the Commission, its officers, and the Recorder.
- C. The Recorder shall perform such other duties for the Commission as are customary in that role or as may, from time to time, be required by the Commission.

SECTION 6. City Attorney.

The City Attorney or a deputy may attend meetings of the Commission. The City Attorney shall provide legal assistance to the Commission on matters coming before it, may prepare documents as needed memorializing Commission action and may question witnesses testifying before the Commission.

ARTICLE IV

Meetings

SECTION 1. Regular Meetings.

Regular meetings of the Commission shall be held in the Council Chambers, City Hall, 4755 SW Griffith Drive, Beaverton, Oregon, or at such other place as may be determined by the Commission, at 7:00 p.m. on the first Thursday of the month, except a public holiday or the day before the public holiday. Meeting dates are normally chosen for timely action on applications submitted for the Commission's consideration. At regular meetings, the Commission may consider all matters properly brought before it without the necessity of prior notice thereof given to any members.

SECTION 2. Special Meetings.

The Chairperson of the Commission upon his or her own motion may, or upon the request of a majority of the members of the Commission shall, call a special meeting of the Commission. Unless otherwise specified in the call, all special meetings shall be held at the regular meeting place of the Commission. Notice of special meetings shall be given personally or by mail to all members of the Commission and the Recorder not less than seventy-two (72) hours in advance thereof. In case of an emergency, a special meeting may be held upon such notice as is appropriate in the circumstances; provided, however, that reasonable effort is made to notify all members of the Commission.

SECTION 3. Public Meetings.

All meetings of the Commission shall be public meetings as per the Oregon Revised Statutes, except that the Commission may hold executive sessions, from which the public may be excluded, in such manner and for such purposes as may be authorized by law. Representatives of the news media shall be allowed to attend executive sessions under such conditions governing the disclosure of information as provided by law.

SECTION 4. Notice of Meetings.

- A. In addition to notice required to be given to Commission members and the Recorder, public notice of all Commission meetings shall be given in a manner reasonably calculated to give actual notice to interested persons subject to applicable limits of Oregon law. The notice shall consist of the time and place of the meeting and an agenda or summary of the subject matter to be considered.
- B. The Recorder shall post the notice on a bulletin board in the City Hall, and shall provide a copy of the notice to persons and organizations as provided by law and to any person who has requested in writing to be notified of Traffic Commission Agendas. Notice of public hearings on Major Issues shall be provided in accordance with Section 6.02 of the Beaverton Code. In the discretion of the Recorder, notice may also be provided to persons and organizations known to have a special interest in matters to be considered by the Commission.
- C. Notice shall be given not less than seventy-two (72) hours in advance of a meeting; provided, however, that in case of an emergency, a meeting may be held upon such public notice as is appropriate in the circumstances.
- D. Failure to provide notice as specified in this section shall not invalidate any decision or proceeding of the Commission.

SECTION 5. Agenda; Order of Business.

- A. The order of business at all meetings shall be determined by the agenda which shall generally include the following items:
 - 1) Call to order and roll call;
 - 2) Public comments on items not on the agenda;
 - 3) Consent agenda;
 - 4) Public hearings;
 - 5) Minutes of previous meeting;
 - 6) Reports of City officials and staff;
 - 7) Reports of committees;
 - 8) Miscellaneous business; and
 - 9) Adjournment.
- B. Any item may be taken out of order by direction of the Chairperson.
- C. Actions of the Commission are not limited to the prepared agenda.
- D. Public hearings will be stopped at 11:00 p.m., unless there is a motion from the Commission to extend the time of that hearing. In the absence of that motion, the issue will be taken up at a future meeting as provided by motion of the Commission.
- E. The Chairperson may establish time limits on public testimony. For each agenda item, the time limit shall be the same for each person testifying.
- F. The Chairperson is the person in charge of the premises and may rule any person present to be out of order or direct that person to leave the premises.

SECTION 6. Attendance.

If a member of the Commission is unable to attend a meeting, he or she is expected to notify the Chairperson or Recorder. The Commission may, by majority vote, declare a member's position to be vacant if the member has unexcused absences at two or more consecutive meetings or if the member has unexcused absences at three or more meetings within any twelve-month period.

SECTION 7. Quorum.

At any meeting of the Commission, a quorum shall consist of four (4) members. No formal action shall be taken in the absence of a quorum except to adjourn the meeting, and to continue public hearings to a time and place certain; except that the Commission may choose to accept written and oral testimony as presented by citizens. For the purpose of forming a quorum, members who have disqualified or excused themselves from participation in any matter shall be counted as present.

SECTION 8. Voting.

- A. Except as provided by these bylaws, rules of conduct or Oregon law, each member of the Commission is entitled to vote on all matters at all meetings of the Commission. The Mayor, the City Attorney, and such other City personnel as the Mayor may from time to time designate, are entitled to participate in discussion, but do not have the right to vote. Each Commission member is deemed to have notice of all prior Commission deliberations and proceedings.
- B. Unless otherwise specified herein, the concurrence of a majority of the members of the Commission voting shall be necessary to determine any question before the Commission. Majority is based on the number of votes cast, excluding abstentions, disqualifications, and absences. A tie vote causes the motion to fail.
- C. When a matter is called for a vote, the Chairperson shall, before a vote is taken, restate the question and shall announce the decision of the Commission after such vote.
- D. Voting shall be by voice vote. Negative and abstaining votes on any matter shall be recorded.
- E. Voting "in absentia" or by proxy is not permitted.
- F. If members of the Commission abstain or are disqualified and the Commission consequently cannot make a determination, all members present, after stating their reasons for abstention or disqualification, may be requalified and proceed to determine the issue.

SECTION 9. Alternate Members

Alternate members may be appointed by the Mayor. Alternate members are encouraged to attend Traffic Commission meetings to become familiar with Traffic Commission processes and issues in preparation for potential future appointment to the Traffic Commission. Alternate members do not have the right to vote. Alternate members may participate and testify as members of the public.

SECTION 10. Continuances; Remands.

- A. Any item before the Commission may be continued to a subsequent meeting. A motion to continue an item shall specify the date or event upon which continuation is to be based. If a matter which originally

required public notice by law is continued without setting time and place certain, the public notification must be repeated when time and place are made certain. A list of continued items, showing the date at which an item was continued, the date to which an item is continued or the event upon which continuance is based, shall be recorded and kept by the Recorder and made available to the public.

- B. Unless otherwise provided by the Council upon remand, any item remanded by the Council for reconsideration by the Commission shall be treated as a new item and proceedings shall be provided for as if the matter were initially before the Commission.
- C. A member absent during the presentation of any evidence in a hearing may not participate in the deliberations or final determination regarding the matter of the hearing unless he or she has reviewed the evidence received.

SECTION 11. Rules of Procedure.

All rules of order not herein provided for shall be determined in accordance with the latest edition of *Robert's Rules of Order Newly Revised*. However, the Commission has an obligation to be as clear and simple in its procedure as possible.

SECTION 12. Minutes.

- A. The Recorder or a designee shall be present at each meeting and shall cause the proceedings to be stenographically or electronically recorded. A full transcript is not required but written minutes giving a true reflection of the matters discussed at a meeting and the view of the participants shall be prepared and maintained by the Recorder. Executive sessions are excluded from published minutes.
- B. Minutes shall be available to the public, upon request, within a reasonable time after a meeting and shall include the following:
 - 1) Members present;
 - 2) Motions, proposals, and measures proposed and their disposition;
 - 3) Results of all votes including the vote of each member by name if not unanimous; and
 - 4) Substance of any discussion of any matter.
- C. The Recorder may charge a reasonable fee for copies of minutes and other materials relating to Commission matters.
- D. Commissioners are expected to vote for approval of the minutes based on the accuracy of representation of events at the meeting. A vote in favor of adopting minutes does not signify agreement or disagreement with the Commission's actions memorialized in the minutes.
- E. Any Commissioner not present at a meeting must abstain from voting on approval of the minutes of that meeting.

ARTICLE V

Advisory Committees

Appointment.

Advisory committees to the Commission may be appointed by the Commission, with the concurrence of the Commission members, Mayor and Council, for the consideration of special assignments.

ARTICLE VI

Publication and Amendment of Bylaws and Rules of Procedure

SECTION 1. Publication and Distribution.

A copy of these bylaws and rules of procedure shall be:

- A. Placed on record with the City Recorder and the Recorder of the Commission;
- B. Available at each Commission meeting;
- C. Distributed to each member of the Commission; and
- D. Available to the public for the cost of duplication.

SECTION 2. Amendment and Suspension.

- A. These bylaws, rules and regulations may be amended by approval of a majority of the members of the entire Commission at a regular or special meeting, provided notice of the proposed amendment is given at the preceding regular meeting or at least five (5) days' written notice is delivered to or mailed to the home address of each Commissioner. The notice shall identify the section or sections of this resolution proposed to be amended. No amendment of the bylaws shall be effective unless and until the City Council gives final approval to the amendment.
- B. Notwithstanding subsection A above, any rule of procedure not required by law may be suspended temporarily at any meeting by majority vote of those members present and voting.