

W. C. B.

AGENDA MEMORANDUM

Date: July 13, 2004

WP ca/vv/04010/M

TO: Lane County Board of Commissioners

DEPARTMENT: Board of County Commissioners

PRESENTED BY: Bill Van Vactor, County Administrator

AGENDA ITEM TITLE: ORDER/In the Matter of Amending Chapter 3 of the Lane Manual to Add the Positions of the Eugene and Springfield Police Chiefs to the Public Safety Coordinating Council (PSCC) and Approving a Corresponding Bylaws Change (Lane Manual 3.522)

I. MOTION

"MOVE TO APPROVE ORDER AMENDING CHAPTER 3 OF THE LANE MANUAL TO ADD THE POSITIONS OF THE EUGENE AND SPRINGFIELD POLICE CHIEFS TO THE PUBLIC SAFETY COORDINATING COUNCIL (PSCC) AND APPROVING A CORRESPONDING BYLAWS CHANGE (LANE MANUAL 3.522)."

II. AGENDA ITEM SUMMARY

At the June 17, 2004 PSCC meeting there was general discussion on whether to add the Chief of Police from the Eugene Police Department as a member of the Council. The discussion centered around the fact that the Board of Commissioners in the past has wanted to streamline the PSCC, and reduce it to its minimum size. The essence of the discussion was that, at a minimal level, the key stakeholders in the Lane County public safety system need to participate to make the Council effective. There was a consensus that the Chiefs of Police of both the Cities of Eugene and Springfield are key stakeholders and having them attend would improve the discussion. The PSCC therefore supported a bylaw change to add the position. The Council is requesting that the Board amend the Lane Manual to add this position, and also approve the bylaw change.

Under state law, the appointment under the police chief category is to be the chief selected by the chiefs. Currently Springfield Police Chief Jerry Smith fills that spot. Knowing that the Board of Commissioners did not want to increase the PSCC any larger than possible, the way the language is written adds the positions of Eugene and Springfield police chiefs but provides that if the police chiefs of the county elect one of

those, they are the two representatives. Only in the event that the police chiefs get together and elect a chief other than the one from Eugene or Springfield is the third position created. Based upon the amount of time and effort it took to get the police chiefs to agree on Captain Smith, it's doubtful that this is likely to occur in the near future.

III. BOARD ACTION HISTORY

Under state law the Board is the appointing authority for the Public Safety Coordinating Council and has the responsibility for managing the program. Therefore, from time to time Lane Manual amendments are proposed with regard to membership and corresponding bylaw revisions.

IV. POLICY ISSUES

The policy issue presented by this agenda item is the breadth and scope of discussion the Board wishes to have occur at the Public Safety Coordinating Council. It is really a policy choice between keeping the PSCC at its minimal level or expanding it modestly in order to add key stakeholders.

V. BOARD GOALS

The board places significant value on intergovernmental cooperation and coordination, and this will add an essential component by having key stakeholders in the public safety system participate in the discussions.

VI. FINANCIAL AND/OR RESOURCE CONSIDERATIONS

In this particular case, the PSCC is up and operating, funded in part by Lane County funds augmented by intergovernmental agreements with Eugene and Springfield to pay for systems analysts work on issues identified by the Public Safety Coordinating Council or its task forces. There will not be any new costs.

VII. ANALYSIS

The issue really comes down to a Board choice on the scope of the discussions it wishes to have at the PSCC. Alternatives/options essentially are three:

1. Approve the request and expand the PSCC to add the police chiefs from the two major metropolitan areas
2. Reject the proposal and seek to keep the PSCC operating at its most efficient manner possible
3. Not approve this option, but instead evaluate whether or not we have the proper

mix of stakeholders and public citizens. Perhaps send the issue to a board committee for further discussion.

The Public Safety Coordinating Council recommends option 1.

VIII. IMPLEMENTATION AND FOLLOW-UP

Once the Board has approved this order, then Chief Lehner will be advised of his appointment and added to the membership roster.

IX. ATTACHMENTS

1. Lane Manual Amendments
2. Proposed By-Law Changes

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF AMENDING CHAPTER 3 OF
THE LANE MANUAL TO ADD THE POSITIONS OF
EUGENE AND SPRINGFIELD POLICE CHIEFS TO
THE PUBLIC SAFETY COORDINATING COUNCIL
(PSCC) AND APPROVING A CORRESPONDING
BYLAWS CHANGE (LM 3.522)

The Board of County Commissioners of Lane County orders as follows:

Lane Manual Chapter 3 is hereby amended by removing, substituting and adding the following section:

REMOVE THIS SECTION

3.522

as located on pages 3-37 through 3-38
(a total of 2 pages)

INSERT THIS SECTION

3.522

as located on pages 3-37 through 3-38
(a total of 2 pages)

Said section is attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to add the positions of Eugene and Springfield Police Chiefs to the Public Safety Coordinating Council (PSCC) and approving a corresponding bylaws change (LM 3.522).

IT IS FURTHER ORDERED that the Board approves a change to the PSCC Bylaws that is consistent with this Lane Manual change.

Adopted this _____ day of _____ 2004.

Chair, Lane County Board of Commissioners

APPROVED AS TO FORM

Date 7/2/04 Lane County


OFFICE OF LEGAL COUNSEL

MEMBERSHIP: (17) Consists of 17 members, the majority of whom are laypersons. A layperson is one whose primary income is *not* derived from either offering direct service to children and youth or being an administrator for a program for children and youth. Membership of the Commission shall consist of two (2) County Commissioners, one from a rural and one from a metropolitan district; two (2) youth representatives (between the ages of 15 and 20 at the time of appointment) with a preference that one youth represent a rural area and one youth position represent a metropolitan area; two (2) rural representatives; and eleven (11) at large members. The Board shall appoint the chair.

TERM: 4 years, ending June 30. *(Revised by Order No. 00-8-16-1; Effective 8.17.00)*

3.522 Public Safety Coordinating Council.

Under ORS 423.560, develops and recommends to the Board a plan for use of 1) state resources to serve the local offender population, and 2) state and local resources to serve the needs of that part of the local offender population who are at least 15 years of age and less than 18 years of age, which plan must provide for coordination of community-wide services involving prevention, treatment, education, employment resources and intervention strategies; and coordinates local criminal justice policy among affected criminal justice entities.

In addition to the duties assigned to it under ORS 423.560, the Council develops and recommends to the Board the plan for use of state resources to serve the local youth offender population; coordinates local juvenile justice policy among affected juvenile justice entities; and in consultation with the Commission on Children and Families, develops and recommends to the Board a plan designed to prevent criminal involvement by youth, which provides for coordination of community-wide services involving treatment, education, employment and intervention strategies aimed at crime prevention.

STAFFING: County Administration

MEETS: Quarterly

MANDATED: ORS 423.560

MEMBERSHIP: Up to 22, selected by the Board (unless noted otherwise) as follows:

- (1) Police chief, selected by the police chiefs in the county
- (1) Sheriff;
- (1) District Attorney;
- (1) State Court Judge, appointed by Presiding Judge;
- (1) Public Defender or Defense Attorney, appointed by Presiding Judge;
- (1) Community Corrections Manager;
- (2) County Commissioners (1 Rural, 1 Metro);
- (1) Youth Services Department Director;
- (1) Public Health Official recommended by the Health and Human Services Department Director;
- (1) Mental Health Official recommended by the Health and Human Services Department Director;
- (3) Up to three lay Citizens;
- (1) City Councilor or Mayor, selected by the City of Eugene;
- (1) City Councilor or Mayor, selected by the City of Springfield;

- (1) City Manager or other City Representative, selected by the cities other than Eugene or Springfield;
- (1) Police Chief of City of Eugene*
- (1) Police Chief of City of Springfield*
- (1) County Administrator (non-voting);
- (1) Representative of the Oregon State Police (non-voting), selected by the Superintendent of Oregon State Police;
- (1) Oregon Youth Authority Representative (non-voting), selected by the Director of Oregon Youth Authority

TERM: 4 years, ending December 31

*In the event the police chiefs of the county select either the Eugene or Springfield Police Chief, then that position will be filled by the county police chiefs rather than the Board. In other words, when the chiefs have selected a Eugene or Springfield chief, there will be two chiefs on the PSCC. If they select a chief from another city, then there will be three chiefs. *(Revised by Order No. 01-5-9-1; Effective 5.9.01; 03-8-27-3, 8.27.03)*

3.524 Community Mental Health Advisory Committee.

Advises the Board of County Commissioners as the local mental health authority, and the Director of the Department of Health and Human Services on community needs and priorities for mental health services and shall assist in planning and in review and evaluation of those services. It shall serve also as the Local Alcoholism Planning Committee.

STAFFING: Department of Health and Human Services

MEETS: Monthly

MANDATED: ORS 430. 342, ORS 430. 630(8), OAR 309-14-020(2)

MEMBERSHIP: (12) Consists of 12 persons who are broadly representative of the community, with a balance of age, sex, ethnic, socioeconomic, geographic, professional and consumer interests represented. Membership shall include advocates for persons with mental or emotional disturbances, drug abuse problems, mental retardation or other developmental disabilities and alcoholism and alcohol abuse problems. It shall also include a number of minority members which reasonably reflects the proportion of the needs for alcoholism treatment and rehabilitation services of minorities in the community. Subcontractors of mental health services, their employees and their board members are barred from membership on this committee.

TERM: 4 years, ending August 31 *(Revised by Order No. 00-8-16-1; Effective 8.17.00)*

3.526 Farm Review Board.

Advises the County Assessor with respect to the use of comparable sales figures in assessing agricultural land; the Board also advises the County Assessor as to whether figures or factors are proper under ORS 308A.092.

STAFFING: Department of Assessment and Taxation

MEETS: Once or twice each year

MANDATED: ORS 308A.095

MEMBERSHIP: (5) Two appointed by the Board of Commissioners, two appointed by the Assessor and fifth member chosen by other four members.

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Bold indicates material being added

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3.5223-524

Lane Manual

LEGISLATIVE

FORMAT

3.522-3.526

MEMBERSHIP: (17) Consists of 17 members, the majority of whom are laypersons. A layperson is one whose primary income is *not* derived from either offering direct service to children and youth or being an administrator for a program for children and youth. Membership of the Commission shall consist of two (2) County Commissioners, one from a rural and one from a metropolitan district; two (2) youth representatives (between the ages of 15 and 20 at the time of appointment) with a preference that one youth represent a rural area and one youth position represent a metropolitan area; two (2) rural representatives; and eleven (11) at large members. The Board shall appoint the chair.

TERM: 4 years, ending June 30. (*Revised by Order No. 00-8-16-1; Effective 8.17.00*)

3.522 Public Safety Coordinating Council.

Under ORS 423.560, develops and recommends to the Board a plan for use of 1) state resources to serve the local offender population, and 2) state and local resources to serve the needs of that part of the local offender population who are at least 15 years of age and less than 18 years of age, which plan must provide for coordination of community-wide services involving prevention, treatment, education, employment resources and intervention strategies; and coordinates local criminal justice policy among affected criminal justice entities.

In addition to the duties assigned to it under ORS 423.560, the Council develops and recommends to the Board the plan for use of state resources to serve the local youth offender population; coordinates local juvenile justice policy among affected juvenile justice entities; and in consultation with the Commission on Children and Families, develops and recommends to the Board a plan designed to prevent criminal involvement by youth, which provides for coordination of community-wide services involving treatment, education, employment and intervention strategies aimed at crime prevention.

STAFFING: County Administration

MEETS: Quarterly

MANDATED: ORS 423.560

MEMBERSHIP: Up to 2022, selected by the Board (unless noted otherwise) as follows:

- (1) Police chief, selected by the police chiefs in the county
- (1) Sheriff;
- (1) District Attorney;
- (1) State Court Judge, appointed by Presiding Judge;
- (1) Public Defender or Defense Attorney, appointed by Presiding Judge;
- (1) Community Corrections Manager;
- (2) County Commissioners (1 Rural, 1 Metro);
- (1) Youth Services Department Director;
- (1) Public Health Official recommended by the Health and Human Services Department Director;
- (1) Mental Health Official recommended by the Health and Human Services Department Director;
- (3) Up to three lay Citizens;
- (1) City Councilor or Mayor, selected by the City of Eugene;

||At right margin indicates changes

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3.5243-524

Lane Manual

LEGISLATIVE

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~~3.526-3-526~~

- (1) City Councilor or Mayor, selected by the City of Springfield;
- (1) City Manager or other City Representative, selected by the cities other than Eugene or Springfield;
- (1) **Police Chief of City of Eugene***
- (1) **Police Chief of City of Springfield***
- (1) County Administrator (non-voting);
- (1) Representative of the Oregon State Police (non-voting), selected by the Superintendent of Oregon State Police;
- (1) Oregon Youth Authority Representative (non-voting), selected by the Director of Oregon Youth Authority

TERM: 4 years, ending December 31

***In the event the police chiefs of the county select either the Eugene or Springfield Police Chief, then that position will be filled by the county police chiefs rather than the Board. In other words, when the chiefs have selected a Eugene or Springfield chief, there will be two chiefs on the PSCC. If they select a chief from another city, then there will be three chiefs. (Revised by Order No. 01-5-9-1; Effective 5.9.01; 03-8-27-3, 8.27.03)**

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STAFFING: Department of Health and Human Services

MEETS: Monthly

MANDATED: ORS 430. 342, ORS 430. 630(8), OAR 309-14-020(2)

MEMBERSHIP: (12) Consists of 12 persons who are broadly representative of the community, with a balance of age, sex, ethnic, socioeconomic, geographic, professional and consumer interests represented. Membership shall include advocates for persons with mental or emotional disturbances, drug abuse problems, mental retardation or other developmental disabilities and alcoholism and alcohol abuse problems. It shall also include a number of minority members which reasonably reflects the proportion of the needs for alcoholism treatment and rehabilitation services of minorities in the community. Subcontractors of mental health services, their employees and their board members are barred from membership on this committee.

TERM: 4 years, ending August 31 (Revised by Order No. 00-8-16-1; Effective 8.17.00)

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Advises the County Assessor with respect to the use of comparable sales figures in assessing agricultural land; the Board also advises the County Assessor as to whether figures or factors are proper under ORS 308A.092.

STAFFING: Department of Assessment and Taxation

MEETS: Once or twice each year

MANDATED: ORS 308A.095

MEMBERSHIP: (5) Two appointed by the Board of Commissioners, two appointed by the Assessor and fifth member chosen by other four members.

MEMBERSHIP: (17) Consists of 17 members, the majority of whom are laypersons. A layperson is one whose primary income is *not* derived from either offering direct service to children and youth or being an administrator for a program for children and youth. Membership of the Commission shall consist of two (2) County Commissioners, one from a rural and one from a metropolitan district; two (2) youth representatives (between the ages of 15 and 20 at the time of appointment) with a preference that one youth represent a rural area and one youth position represent a metropolitan area; two (2) rural representatives; and eleven (11) at large members. The Board shall appoint the chair.

TERM: 4 years, ending June 30. (*Revised by Order No. 00-8-16-1; Effective 8.17.00*)

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STAFFING: County Administration

MEETS: Quarterly

MANDATED: ORS 423.560

MEMBERSHIP: Up to 20, selected by the Board (unless noted otherwise) as follows:

- (1) Police chief, selected by the police chiefs in the county
- (1) Sheriff;
- (1) District Attorney;
- (1) State Court Judge, appointed by Presiding Judge;
- (1) Public Defender or Defense Attorney, appointed by Presiding Judge;
- (1) Community Corrections Manager;
- (2) County Commissioners (1 Rural, 1 Metro);
- (1) Youth Services Department Director;
- (1) Public Health Official recommended by the Health and Human Services Department Director;
- (1) Mental Health Official recommended by the Health and Human Services Department Director;
- (3) Up to three lay Citizens;
- (1) City Councilor or Mayor, selected by the City of Eugene;
- (1) City Councilor or Mayor, selected by the City of Springfield;

- (1) City Manager or other City Representative, selected by the cities other than Eugene or Springfield;
- (1) County Administrator (non-voting);
- (1) Representative of the Oregon State Police (non-voting), selected by the Superintendent of Oregon State Police;
- (1) Oregon Youth Authority Representative (non-voting), selected by the Director of Oregon Youth Authority

TERM: 4 years, ending December 31 *(Revised by Order No. 01-5-9-1; Effective 5.9.01; 03-8-27-3, 8.27.03)*

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MEETS: Monthly

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TERM: 4 years, ending August 31 *(Revised by Order No. 00-8-16-1; Effective 8.17.00)*

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STAFFING: Department of Assessment and Taxation

MEETS: Once or twice each year

MANDATED: ORS 308A.095

MEMBERSHIP: (5) Two appointed by the Board of Commissioners, two appointed by the Assessor and fifth member chosen by other four members.

TERM: 2 years for Commissioner and Assessor appointees, 1 year for joint appointee, all ending January 31 *(Revised by Order No. 00-8-16-1; Effective 8.17.00)*

3.528 Historic Resources Committee (Lane County).

Represents a variety of historical interests and the interests of the property owners. Its tasks shall include: general concern with historical matters in the County; to monitor conditions affecting such resources; to devise criteria and methods for the selection of newly-designated historical resources; to advise the staff and officials of the County on proposed new historical sites and structures; to oversee the administration of the Historic Structures or Sites ordinance; and to perform other related tasks and duties. The

**BYLAWS
OF THE LANE COUNTY
PUBLIC SAFETY COORDINATING COUNCIL**

ARTICLE I NAME

This advisory council shall be known as the Public Safety Coordinating Council hereinafter referred to as the PSCC.

ARTICLE II RESPONSIBILITIES

PSCC is mandated under ORS 423.560 and ORS 423.565 to:

1. Develop and recommend to the Lane County Board of Commissioners, hereinafter referred to as Board of Commissioners, a comprehensive plan for the use of:
 - a) state resources to serve the local offender population;
 - b) state and local resources to serve the needs of that part of the local offender population who are at least 15 years of age and less than 18 years of age, which plan must provide for coordination of community-wide services involving prevention, treatment, education, employment resources, and intervention strategies; and
 - c) state and local resources to serve the local youth offender population.
2. Coordinate local criminal justice policy among affected criminal justice entities.
3. Coordinate local juvenile justice policy among juvenile justice entities.
4. In consultation with the Commission on Children and Families, develop and recommend to the Board of Commissioners a comprehensive plan designed to prevent criminal involvement by youth, which provides for coordination of community-wide services involving treatment, education, employment, and intervention strategies aimed at crime prevention.

PSCC is authorized under the 2004 Intergovernmental Agreement for Criminal Justice Services to:

5. Ensure intergovernmental coordination, and ongoing systems analysis of our public safety system.

ARTICLE III MEMBERSHIP

The PSCC shall consist of the following nineteen or twenty members:

Members:

Appointed By: (Based on ORS Statute)

Police Chief	Police Chiefs in county
Sheriff of the County	Sheriffs in the county
District Attorney	District Attorneys of the county
State Court Judge (Juvenile)	Presiding Judge of county judicial district
Public Defender or Defense Attorney	Presiding Judge of county judicial district
Director of Community Corrections	BCC
Juvenile Department Director	BCC
City Councilor or Mayor from Springfield	City of Springfield
City Councilor or Mayor from Eugene	City of Eugene
City Manager or other city representative	Cities in the county
Lane County Commissioner –Rural	BCC
Lane County Commissioner – Metro	BCC
Health or Mental Health Director	BCC
Public Health Manager	Legislative Mandate
Up to three Lay Citizens –	BCC
Representative of Oregon State Police (<i>non-voting</i>)	Sup. of State Police
Representative of Oregon Youth Authority (<i>non-voting</i>)	Director of OYA
Lane County Administrator (<i>non-voting</i>)	BCC
<u>City of Eugene Police Chief *</u>	<u>BCC</u>
<u>Springfield Police Chief *</u>	<u>BCC</u>

* In the event the Police Chiefs in the county select a Eugene or Springfield Police Chief then that position will be filled by the Chiefs rather than the BCC. In other words, when the Chiefs have selected a Eugene or Springfield Chief, there will be two Chiefs on the PSCC. If they select a chief from another city, then there will be three.

Appointees who are not statutorily assigned to the PSCC shall serve two-year terms unless the appointment is to fill the unexpired term of another committee member.

ARTICLE IV VACANCIES

In case of a vacancy in the PSCC lay citizen position; the nominating committee shall seek applications by way of the Board of County Commissioner's advisory committee vacancy process. A nominating committee appointed by the chair of the PSCC shall then review applications. The committee's recommendation shall be presented to the PSCC for a recommendation to the BCC. The County Administrator will then present

(Note: New Language is underlined)

the recommendation to the BCC. With regard to PSCC positions, which represent government entity or entities, the County Administrator shall request a nominee from PSCC members have the responsibility of contacting the PSCC Chair or staff if they are unable to attend a meeting. The third consecutive absence, or absence without assignment of proxy, shall be considered a voluntary resignation for any member who is not statutorily assigned to the PSCC. A member can request an exception from the PSCC Chair if there are mitigating circumstances that prevented them from attending.

The PSCC Chair, within 30 days of appointment, shall designate a Nominating Committee consisting of three members of the PSCC Committee. The Nominating Committee will review applications and make recommendations of reappointment of officers or filling vacancies to the PSCC. The PSCC recommendations will be submitted to the Board of County Commissioners for final approval.

ARTICLE V OFFICERS

The **officers of the PSCC** shall be elected by a majority of a quorum of the PSCC to serve for two years or until their successors are elected with the beginning of each calendar year. They shall consist of a Chair and a Vice Chair. The Vice Chair becomes the Chair when the Chair's term is expired or the Chair resigns. The Chair shall preside at all meetings of the PSCC, maintain contact with designated member agencies as appropriate, work with staff in responding to correspondence, and present PSCC reports and recommendations to the Board of Commissioners. The Vice Chair shall work with committees and assume all responsibilities of the Chair in her/his absence.

ARTICLE VI MEETINGS, VOTING, AND COMMITTEES

The PSCC shall meet at a frequency designated by the Chair, but not less than quarterly.

The Chair or the majority of the PSCC, by written request to the Chair, may call a meeting of the PSCC.

Each voting member of the PSCC shall have one vote. ORS 423.560 stipulates the State Police and Oregon Youth Authority representatives may not vote on matters arising from PSCC duties mandated by ORS 423.560. All members may vote on matters arising from PSCC duties mandated by intergovernmental agreements not linked to ORS 423.560. Decisions shall be made at meetings where there is a quorum. A quorum shall consist of nine voting members of the PSCC. Per ORS 423.560, non-voting members of the PSCC may not be counted in determining whether a quorum exists. The current membership consists of twenty, with three members non-voting. All PSCC decisions shall be made by simple majority vote of voting members at a meeting where a quorum is present. A written proxy may be given to the Chair to be

read at the time of voting. Another person, other than a current PSCC member, may be sent with authorization to act in his or her absence.

The PSCC may have both standing and ad hoc committees. Adhoc committees can be organized and appointed by the Chair. In order to conduct business, a committee must have a simple majority of the appointed members in attendance. Once a quorum of the committee is present, a majority of those members in attendance, who are not excused from participating due to a conflict of interest, may act to cause a recommendation of the committee to be forwarded to the PSCC. In addition to regular voting committee members, any PSCC member, who is not a member of the committee, is encouraged to attend any committee meeting without voting privileges.

There shall be two standing committees of PSCC: The Community Safety Committee, and the Juvenile Committee. Membership shall consist of appointed PSCC members and other people with expertise or interest in the topic area.

The charge of the **PSCC** is to provide recommendations on all new issues coming before the PSCC and to adopt a final policy or position including the Regional Community Safety and Justice Plan and to oversee any work generated through the Intergovernmental Agreement. The PSCC may initiate a proposal for consideration by member agencies.

The **Community Safety Committee**, and the **Juvenile Committee**, shall provide to the PSCC recommendations regarding policies, practices, and programs that might enhance efficiency and effectiveness in the community safety and justice system. The PSCC Chair will appoint committee Chairs.

The **Community Safety Committee** shall consist of PSCC members and other people who represent or are interested in the adult corrections system.

The **Juvenile Committee** shall consist of PSCC members and other people who represent or are interested in prevention and juvenile justice.

There shall be ad hoc committees and task teams organized and appointed by the PSCC Chair. The PSCC shall appoint all members of the standing, ad hoc, and task teams.

All meetings of the PSCC and its committees are public meetings and shall be open to the public and held in conformance with the Oregon Open Meetings Law, and shall be conducted in accordance with Roberts Rules of Order Newly Revised, as far as is reasonable and practical. PSCC members will be notified in advance with regard to meetings of the PSCC and its committees.

ARTICLE VII CONFLICT OF INTEREST

Members shall be required to vote on all matters which require a decision except, in accordance with ORS Chapter 244, no PSCC member shall participate in a decision in which that member has a private pecuniary interest. When such apparent or potential conflict of interest arises, the affected member shall disclose such conflict of interest and disqualify herself/himself from voting on the matter. Such members shall not be considered as being present for the purpose of determining whether a majority vote has been cast. Declared conflicts shall be formally represented in the minutes of the meeting where such declaration is made. Furthermore, the affected members shall notify the Board of Commissioners as required under ORS 244.120.

ARTICLE VIII BYLAW ENACTMENT AND AMENDMENT

The initial Bylaws of the PSCC shall become effective upon:

approval by a simple majority of the PSCC where a quorum is present and approval by the Board of Commissioners.

Once adopted, the Bylaws may be amended upon:

a vote of a majority of PSCC members:

where a quorum is present,

at a PSCC meeting whose notice includes reference to the fact that Bylaw amendments are to be voted on at that meeting,

where notice is accompanied by a copy or summary of the proposed amendments, and approval by the Board of Commissioners.