

# Budget Committees

Craig Gibons

Executive Director

Multnomah County

Tax Supervising & Conservation Commission

[craig.gibons@multco.us](mailto:craig.gibons@multco.us)

[www.tscmultco.com](http://www.tscmultco.com)

# Composition

# Quorum

# Action

Budget Committee Quicksand



# Composition



Seven Electeds



Seven Electors

A 14 Member Budget Committee

# Composition

A 14 Member Budget Committee



Seven Electeds



Four Electors

Get as many electors as you can, but no officers, agents, or employees.

# Quorum

## A 14 Member Budget Committee



Seven Electeds



Seven Electors



Eight Committee Members Required to Hold a Meeting

# Action

- Elect presiding officer
- Receive Budget
- Solicit Public Comment (Public Hearing)
- Deliberate, revise, and approve budget and tax rate
- Demand and receive information
- Compel officer or employee to attend

# Action



Seven Electeds



Seven Electors



Eight committee members must vote “yes” for the committee to take action-regardless of how many members are present at the committee meeting.

# Action

The Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of ORS 192.610 to 192.690 that decisions of governing bodies be arrived at openly.



# Action

## Receive Budget

The budget may be provided to committee members before the first meeting, “...solely for the information and use of the individual members.”

“The budget committee may not deliberate on the budget document as a body before the first meeting”

### **Guidance to BC Members:**

Do not discuss the budget outside of a Budget Committee Meeting

# Action

Demand and receive information  
Compel officer or employee to attend

Budget committee members do not have power or authority to act on their own.

# Action

Deliberate Budget

No deliberations outside of public meetings

# Budget Committee Quicksand



# Budget Committee Quicksand

## The Book Club and Supplemental Budget #2



# Budget Committee Quicksand

Judge: In effect, the public meeting vote on December 9 was a sham. It was orchestrated down to the timing and manner of the vote to avoid any public discussion.”



# Budget Committee Quicksand

Claim: The board made a decision to adopt supplemental budget #2 in violation of Oregon Public Meetings law and the board violated that law by conducting private meetings.

**Judge: Yes, and plaintiffs are awarded attorney fees and costs, with defendants being personally liable.**

Claim: Defendants' violations of Oregon public meetings law has been regular, sustained, and on-going.

**Judge: Plaintiffs have proven this. It is so obvious... that this court won't set out its analysis of the facts on that conclusion. This court concludes that the conduct was willful as well.....**



# Budget Committee Quicksand

Commissioner,

I am not a stupid person

I have reviewed the emails and I believe the RG's attorneys will see enough evidence there to allow reporters to state that the three of you were deliberating, not necessarily by emails, but by a combination of meetings and emails.

Whether all three of you were in a room at the same time was irrelevant to whether or not the spirit of the rules was being violated. I believe they will come to the determination that you were ...(trying to)...avoid the public meetings law. The same arguments can be made in regards to a quorum of the budget committee.”





# Dear Budget Committee Member

Oregon Revised Statutes require that budget deliberations must be conducted in public. For your own good and to protect this organization do not discuss or deliberate the budget outside of public budget committee meetings.

Please take care. Serving on the budget committee does not give you authority to act independently outside of a committee meeting. If you want more information than provided by staff, use the committee process to request that information. Do not act on your own.

# Budget Committee Education

- Budget process training
- Orientation to the organization
- Funds and fund structure
- Committee vision or goals
- Organization strategic plan
- Economic conditions and projections
- Financial Policies

# References

## **Budget Committee Statutes (ORS 294-414 through 428)**

[https://www.oregonlegislature.gov/bills\\_laws/ors/ors294.html](https://www.oregonlegislature.gov/bills_laws/ors/ors294.html)

## **Dumdi (Lane County Circuit Court Case 16-10-02760)**

<http://www.orcities.org/Portals/17/Publications/Newsletters/Weekly/dumdi-handly-openmeetingdecision-2011-01-18.pdf>

## **Lessons from Lane County**

[http://www.orcities.org/Portals/17/publications/newsletters/weekly/lessonsfromlanecounty\\_final.pdf](http://www.orcities.org/Portals/17/publications/newsletters/weekly/lessonsfromlanecounty_final.pdf)

## **Pre-meeting Topics for Budget Committee Discussion**

<http://www.oregon.gov/DOR/programs/property/Documents/local-budget-budget-committee-pre-meeting.pdf>