

IMPACT STATEMENT

Legislation title: *Establish rules of conduct, ejection and exclusion procedures for City Council meetings and at City Property and establish responsibilities of City Council Presiding Officer, the Bureau of Internal Business Services Director, and Persons-in Charge for enforcement of rules and procedures (Ordinance; amend Code Chapters 3.02, 3.15, and 5.36; add Code Chapter 3.18)

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Purpose of proposed legislation and background information:

Over the past few years, City Council meetings have been repeatedly interrupted by the disruptive or aggressive behavior of some individuals of the public attending the meetings. This loss of civility and disruption has become more frequent, almost to the point it has become the new “norm”. More and more often the disruptive behavior continues, despite the direction of the Mayor or presiding officer to cease the behavior. In some cases, this disruption becomes so significant that the Mayor/presiding officer needs to call a recess of the Council meeting until the individuals causing the disruption are removed from the meeting. Such disruptive behavior not only delays the ability of the City Council to effectively conduct City business, in some cases the behavior creates a hostile or threatening environment for Council members, City staff, and other members of the public in attendance.

Disruptive behavior in public meetings of some City boards and commissions has also been increasing.

In some cases, individuals removed from City Council meetings or public meetings of City boards and commissions continue to remain on City property and continue their disruptive behavior. This often results in delays in the ability of City staff to conduct City business, and – in some cases – creates a hostile or threatening environment for City staff and members of the public.

The goal of these Code amendments is to give the City Council and City staff the ability to effectively maintain decorum in City Council meetings, and in public meetings of City boards and commissions. The amendments also describe applicable rules of conduct to ensure that City property managers can manage City real property assets in a prudent manner, with the City’s expectations for behavior shared with all users by codifying a generally applicable set of Rules of Conduct for City Properties. The amendments also clarify the ability of the Director of the Bureau of Internal Business Services and other designated individuals to eject and exclude individuals from City Property.

Specifically, the new and amended Code language is designed to clearly establish the following:

1. The behavior that is prohibited (see Rules of Conduct at City Council meetings; Rules of Conduct at City Property)
2. The process and progression of ejecting and excluding an individual from a City Council meeting, a public meeting of a City board or commission, and/or from City Property.
3. The rights of an individual to appeal an exclusion and/or to request a modification to the exclusion.
4. The individuals designated as a Person-in-Charge and what authority that Person-in-Charge has to eject or exclude an individual.

Financial and budgetary impacts:

It is not expected that implementing the Code amendments will create any notable increase in costs for the City.

If individuals of the public comply with the Rules of Conduct established in these Code amendments, there would be fewer delays in Council meetings, which would be a time savings and result in lower staff costs to carry out City business. To the extent that disruptive behavior in the past resulted in the need for additional City staff time, security and/or in damage to City Property, then compliance with these Code amendments would eliminate or reduce such costs.

Community impacts and community involvement:

The goal of the Code amendments is to ensure an individual's ability to attend or participate in City Council meetings and in public meetings of City boards and commissions and ensure the ability of the City to effectively and safely conduct City business. The City Attorney's Office has worked closely with the Multnomah County District Attorney's Office to develop language for the Code amendments.

The City is concerned that individuals of the public who might otherwise be interested in attending or participating in a City Council meeting or a public meeting of a City board or commission may not feel safe or welcome to attend, given the recent history of disruptive and threatening behavior of individuals in those meetings. In addition, individuals may become unable to participate at meetings due to delays in proceedings due to disruptions. Similarly, the City is concerned that disruptive and threatening behavior in public meetings of City boards and commissions will result in a decrease in the interest and willingness of members of the public to participate as members of the board and commission, and so reduce community involvement in City boards and commissions. Finally, the City is responsible for ensuring a safe, non-hostile work environment for its employees.

Compliance with these Code amendments would result in restoring decorum in City Council meetings, and public meetings of City boards and commissions, and thereby increase the likelihood of individual and community involvement in the City's business.

Budgetary Impact Worksheet

Does this action change appropriations?

- YES: Please complete the information below.
- NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount