



190839

Ordinance

Amend Council Organization and Procedure Code to clarify attendance by electronic communication and meeting location (repeal Code Section 3.02.025 and amend Code Section 3.02.026)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Code Section 3.02.025 permits Council members to attend and be present at public meetings by telephone or other electronic communication when an emergency exists such that failure to allow participation by electronic communication would jeopardize the public interest, health, safety or welfare.
2. Consistent with ORS 192, Ordinance 190476, passed by Council on June 30, 2021, added Code Section 3.02.026 to allow Council to attend and be present at Council meetings by telephone or other electronic means without having to identify that an emergency exists. To allow a year-long evaluation of whether electronic participation by Council continued to provide satisfactory collaboration and participation, Council provided that Code Section 3.02.026 would be repealed on June 30, 2022.
3. Members of City Council have appreciated the improved flexibility and equity of public participation while convening electronically. The Council desires to amend code permanently to continue providing an option to the public to join and members of Council to attend and participate in Council meetings by electronic means as provided by Code Section 3.02.026.

NOW, THEREFORE, the Council directs:

A. Amend Code Section 3.02.026 as follows:

3.02.026 Attendance by Electronic Communication ~~until June 30, 2022.~~

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Management and Finance](#)

Contact

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Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

May 25, 2022

Changes City Code

~~Notwithstanding Section 3.02.025, until June 30, 2022, the following provisions apply to Council attendance by electronic communication. On and after June 30, 2022, this section is repealed, and Section 3.02.025 will apply.~~

- A. Members of the City Council may attend and be present at public meetings by means of telephone or other electronic communication.
- B. City Council members who expect to attend by means of telephone or other electronic communication must notify the Auditor or designate prior to commencement of the meeting or as soon as reasonably practicable. The Auditor or designate must make reasonable efforts to notify all City Council members when some or all members are expected to attend by means of electronic communication.
- C. Except for an executive session, the Council shall make available at least one place where, or at least one electronic means by which, the public entitled to attend the meeting can listen to the communication at the time it occurs by speakers or other devices. The place provided may be a place where no members of the Council are physically present. All other requirements of state law and City Code concerning the conduct of meetings by electronic communication shall be met.
- D. The Presiding Officer or designee may rely on information provided by any member of the Council, City staff or Person-in-Charge as designated in Code Section 3.18.010 who is physically present at the Council meeting that a person has disrupted the meeting or engaged in dangerous or threatening behavior for purposes of Code Section 3.02.060.

B. Repeal Code Section 3.02.025.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
May 25, 2022

Auditor of the City of Portland
Mary Hull Caballero

Impact Statement

Purpose of Proposed Legislation and Background Information

City Code 3.02.025 permits Council members to attend and be present at public meetings by telephone or other electronic communication when an emergency exists. During the pandemic, under Portland City Code and state law, the City Council has been convening Council meetings electronically whereby all members of Council attend remotely by Zoom. The proposed

ordinance would allow Council members to attend and be present at public meetings by telephone or other electronic communication, regardless of whether an emergency exists.

Financial and Budgetary Impacts

The proposed ordinance does not have any financial or budgetary impacts.

Community Impacts and Community Involvement

The City has made several avenues available for the public to listen to the audio broadcast of Council meetings. During the pandemic, Council meetings are available to the public on the City's YouTube Channel, [eGov PDX](#), www.portlandoregon.gov/video and Channel 30. The public can also provide written testimony to Council by emailing the Council Clerk at cctestimony@portlandoregon.gov. City Council will provide a location where the public may listen to, and participate in, Council meetings, even if all members of Council attend electronically. This is in addition to providing an option for the public to attend and participate in Council meetings by electronic means.

100% Renewable Goal

The proposed ordinance should have no impact on the City's total energy use.

Budget Office Financial Impact Analysis

No fiscal impact. The FY 2022-23 budget includes \$250,000 of interagency funding in the Bureau of Technology Services' budget to assist City bureaus with their Audio/Visual needs and comply with new requirements for public meetings as the COVID-19 pandemic potentially wanes.

Agenda Items

413 Regular Agenda in May 18-19, 2022 Council Agenda

Passed to second reading

Passed to second reading May 25, 2022 at 9:30 a.m.

448 Regular Agenda in May 25-26, 2022 Council Agenda

Passed

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea