



[Home](#) / [Council Documents](#)

# 191060

Ordinance

## Amend Legislation & Elections Code to update deadlines related to vote abstracts (amend Code Sections 2.04.160 and 2.08.120)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Portland City Charter Sections 2-501 and 2-507 established the Auditor's Office to ensure open and accountable City government, including providing services for the City and the public such as overseeing City elections. Charter Section 2-506 gives the Auditor administrative authority to establish rules necessary to carry out duties of the Auditor. The Auditor administers and enforces City Code Chapters 2.04 and 2.08.
2. City Code Chapter 2.04 sets out the processes and procedures for City measures and elections. Code Section 2.04.160 provides the timeline and process for proclaiming measures and their effective dates.
3. City Code Chapter 2.08 sets out the processes and procedures for City candidate elections. Code Section 2.08.120 provides the timeline and processes following primary and general elections.
4. In 2021, ORS 254.545 was amended to provide county elections officials an extended timeline to provide voting abstracts to City elections officials. This resulted in downstream delay for the City Elections Officer to receive, process, and relay elections results to City Council and Portland voters within the timeline prescribed by City Code Sections 2.04.160 and 2.08.120.
5. In addition, ORS 260.058 and ORS 260.057 were repealed by the legislature and replaced with statutes ORS 260.245 and ORS 260.057.
6. This legislation will bring the City into alignment with State deadlines and amend timelines provided in Code to present voting results to City Council following an election and complete post-election tasks resulting from election outcomes. In addition, this legislation will update Code references to replace repealed statutory citations with current statutory references.

NOW, THEREFORE, the Council directs:

### Introduced by

[Auditor Mary Hull Caballero](#)

### Bureau

[City of Portland Elections Office](#)

### Contact

**Louise Hansen**

City Elections Officer

✉ [louise.hansen@portlandoregon.go](mailto:louise.hansen@portlandoregon.go)

☎ [503-865-6503](tel:503-865-6503)

### Requested Agenda Type

Consent

### Date and Time Information

**Requested Council Date**

November 2, 2022

Changes City Code

A. Portland City Code Sections 2.04.160 and 2.08.120 are amended as shown in Exhibit A.

## Documents and Exhibits

 [Exhibit A](#) (17.14 Kb)

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  
November 2, 2022

Auditor of the City of Portland  
Mary Hull Caballero

## Impact Statement

### Purpose of Proposed Legislation and Background Information

The City Auditor's Office was established to ensure open and accountable City government, including provision of services for City government and the public. The City Auditor is responsible for supervising City elections and the Auditor, or designee, serves as the City Elections Officer. City Code Chapters 2.04 and 2.08 establish practices and procedures to carry out City elections. City Code 2.04.160 provides the timeline and process for proclaiming measures and their effective dates while 2.08.120 provides the timeline and processes following primary and general elections.

In 2021, HB 3291 amended ORS 254.545 to provide counties an extra seven days to deliver abstracts of votes to City elections officials. The extension of this deadline and an increase in county ballot counting delays has made it impracticable for the City Elections Office to timely receive, process, and relay elections results to City Council in compliance with the 30-day deadline prescribed by City Code 2.04.160 and 2.08.120. The proposed legislative amendment will resolve this issue by providing the City Elections Office with more time to receive voting abstracts from the county, process those results, and comply with Council Clerk deadlines to present the results to City Council and the voters of Portland.

In addition, ORS 260.058 and ORS 260.057 were repealed by the legislature and replaced with statutes ORS 260.245 and ORS 260.057.

This legislation does not change any City policy or revenues.

## Financial and Budgetary Impacts

No impacts.

## Community Impacts and Community Involvement

This legislation will enhance efficiency and inter-agency collaboration for City elections by ensuring adequate time to receive, process, and relay election results to the electors of Portland.

## 100% Renewable Goal

This action does not affect the City's total energy use or the City's renewable energy use.

## Agenda Items

### 893 Consent Agenda in October 21-27, 2022 Council Agenda

Passed to second reading

Passed to second reading November 2, 2022 at 9:30 a.m.

### 923 Consent Agenda in November 2-3, 2022 Council Agenda

Passed

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Absent