

ARA-7.02 - Council ~~and Contracts Program Policies & Procedures~~ Agenda Public Communications and Testimony

A. Purpose ~~and Authority~~

This rule outlines ~~sets forth the policies and procedures that apply to the duties performed by the Council Clerk in the Council Clerk / Contracts Office within the Operations Management Division of the Auditor's Office.~~ to schedule a public communication, provide public testimony, and submit written testimony for agenda items.

~~Section 2-506 of the Portland City Charter authorizes the City Auditor to adopt, amend, and repeal administrative rules to carry out the Auditor's Office's duties. In addition, Section 3.02.050 of the Portland City Code authorizes the City Auditor to adopt rules, procedures, and forms to implement the provisions of Code Chapter 3.02 (Council Organization and Procedure).~~

~~B. Council Clerk – General Responsibilities~~

~~The Council Clerk is responsible for, among other duties:~~

- ~~1. Preparing the Council agenda and processing City ordinances and resolutions.~~
- ~~2. Serving as Clerk for Council meetings and preparing the official minutes of Council meetings.~~
- ~~3. Maintaining, updating, and publishing the official copies of the Portland City Code and City Charter.~~

~~C. Council Member Absences~~

- ~~1. Council members must submit absence notices to the Council Clerk at least one week before their scheduled absence. If an absence is due to illness or an emergency, the absence notice must be submitted as soon as possible.~~
- ~~2. The Council Clerk will make Council member absence notices available, and in the case of the Mayor's absence, will indicate who will serve as the Presiding Officer.~~
- ~~3. Council members may attend public meetings by telephone or other electronic communication allowing voice transmission in accordance with Code Section 3.02.025.~~

D. Preparing the Council Agenda

~~Items for the Council agenda must be filed in accordance with this rule, Code Chapter 3.02, and the *Drafting Manual for Ordinances, Resolutions & Reports*.~~

- ~~1. The Council Clerk will create, distribute, and post the Council agenda in accordance with Code Sections 3.02.030 and 3.02.040 D. and E.~~
- ~~2. Agenda items must be filed with the Council Clerk through an office of the Mayor, a Commissioner, or the City Auditor.~~
 - ~~a. Agenda items must be signed by the Mayor, a Commissioner, or the City Auditor, and by the bureau director, as applicable.~~
 - ~~**b. The filing deadline is noon on Tuesday for the following week's meetings.**~~
 - ~~i. An earlier deadline may be announced when needed because of a holiday.~~
 - ~~ii. The Council Clerk will reject any agenda item filed more than two hours after the deadline, unless the office filing the agenda items has requested and been granted permission by the Council Clerk for a late filing.~~
 - ~~c. Agenda items filed with the Council Clerk are public records that may be released by the Council Clerk. As originators of the records, Council offices are encouraged to provide records filed with the Council Clerk when requested by the public. Requests for agenda items should be submitted through the Portland Public Records Request Center (GovQA).~~
- ~~3. Any person may schedule a Communication in accordance with Section F of this rule.~~

~~E. Drafting Ordinances, Resolutions, and Reports; Effective Date~~

- ~~1. The Council Clerk prepares a *Drafting Manual for Ordinances, Resolutions & Reports* to help in the preparation of ordinances, resolutions, and reports for submission to the Council. See Auditor's Office Administrative Rule 7.01—*Drafting Manual for Ordinances, Resolutions & Reports*.~~
- ~~2. An asterisk (*) in the title of an ordinance indicates an emergency ordinance, which takes effect immediately if passed. Non-emergency ordinances require two readings and take effect 30 days after passage, unless otherwise established by Charter or Code. Resolutions and reports become effective upon adoption.~~

~~FB. Public~~ Communications ~~before City Council~~

1. ~~The Public C~~ommunications ~~portion of the Council agenda allows provide an opportunity for~~ individuals to address Council on a subject of the requester's choosing for three minutes.
2. ~~Public C~~ommunications ~~do are~~ not ~~provide an opportunity for dialogue with Council members. question and answer periods or time for conversations between the public and Council or staff.~~
- ~~2.3. Because many issues can be resolved directly with City Bureaus, e~~Community members ~~are encouraged to resolve issues directly by contacting should consider contacting a Commissioner's Office or the appropriate Bureau City department or Councilor~~ for assistance before requesting a public Communication ~~at a Council meeting.~~
- ~~3. Communications are the first item on the agenda for Wednesday morning Council meetings, which start at 9:30 a.m. Community member requests submitted in accordance with this rule are placed on the Council agenda in the Communication section.~~
4. Individuals must request their own Communications, as follows:
 - a. The deadline for scheduling a Communication is noon on Tuesday for an available spot at the following week's meeting. ~~An earlier deadline may be announced when needed because of a holiday.~~
 - b. Requests must be submitted ~~as required by the Council Clerk and through the Council Meeting Communication Request Form with to provide~~ information required by ~~City Code Section 3.02.020.40 E. 4.~~
 - i. ~~Contact information~~ An email address is required and may be used to provide a requestor with notice of a meeting cancellation and/or to enable the City to follow up with a requestor regarding the concerns raised in their Communication. A phone number is not required.
5. The Council Clerk will publish the requestor's name and the general subject of the Communication on the Council agenda. Third-party names will not be published.
6. The requester will have three minutes to speak and may also submit written testimony comments to the Council Clerk ~~before or~~ at the Council meeting. ~~If written testimony is submitted, it should be emailed to the Council Clerk or seven copies should be provided at the meeting.~~

7. Up to five ~~C~~ommunications are scheduled per ~~week~~ regular, non-recessed Council meeting.
8. Requesters are limited to one scheduled communication per calendar month.
9. ~~Requesters may schedule~~ Communications may be scheduled no more than two calendar months in advance.
10. If a Council meeting is cancelled, individuals with scheduled ~~C~~ommunications will be notified of the next available ~~open~~ date.

GC. Verbal Public Testimony on Agenda Items ~~before City Council~~

1. Testimony may be taken on the first reading of ordinances and resolutions, and ordinances at their first reading. Testimony is not taken on Communications, second readings, proclamations, or presentations. At the Presiding Officer's discretion. ~~Testimony may be taken on reports at the Presiding Officer's discretion,~~ per Code Section 3.02.030.040 G.5.
 - a. The consent agenda is approved by a single unanimous vote without Council discussion. To pull an item from the consent agenda for discussion, email your name and the agenda item number to councilclerk@portlandoregon.gov before the start of the meeting.
2. Individuals wishing to provide public testimony on an agenda item must sign up in advance, ~~on a first come, first served basis.~~
 - a. The Council Clerk provides a process for the public to sign-up for testimony prior to the meeting. Agenda items are available to register for public testimony on the published agenda.
3. ~~Written testimony may be emailed or mailed to the Council Clerk prior to the meeting. Individuals are typically called to testify in order of registration. The Council Clerk may adjust the testimony order on a case-by-case basis (for example, in response to an accommodation or schedule-related request, or other reason the Council Clerk deems appropriate).~~
4. ~~During Council meetings, the Council Clerk will read the names of testifiers and each individual has up to three minutes to testify, unless the Presiding Officer states otherwise.~~
5. ~~Pursuant to Code Section 2.12.060, a lobbyist must declare, at the beginning of their testimony, which entity the lobbyist is authorized to represent. That disclosure is also required in any correspondence with City officials.~~

D. Written Testimony on Agenda Items

1. Written testimony is accepted on ordinances, resolutions, and reports.
2. Written testimony must be submitted electronically on the Council agenda or by mail to the Council Clerk. Written testimony is not accepted by email.
3. Unless otherwise stated during the meeting or on the agenda, written testimony will be added to the permanent record if received before Council votes on the agenda item.
4. The Council Clerk may remove written testimony from its website and the public record before the record closes if the submission is unrelated to the agenda item. Written testimony is considered unrelated to an item if it does not reference the subject.

E. Declaration Required by Lobbyists and Rules of Conduct at City Council Meetings

1. Pursuant to Code Section 2.12.060, a lobbyist must declare, at the beginning of their testimony, which entity the lobbyist is authorized to represent. That disclosure is also required in any correspondence with City officials, including in written testimony.
2. Individuals providing a public communication or testimony must adhere to the Rules of Conduct at City Council meetings, Ejection and Exclusion in Code Section 3.02.060.

F. Accessibility

The City of Portland ~~is committed to providing~~ ensures meaningful ~~public~~ access to Council meetings:

- ~~1. The Council chambers is~~ are equipped with ~~a system for the hearing impaired. Assisted listening devices are available from the Clerk.~~
- ~~2. Language services~~ Translation, interpretation, modifications, accommodations, alternative formats, auxiliary aids, or other services ~~to ensure access~~ may be requested ~~from Council Clerk online or by phone~~ at ~~(503) 823-408200, City TTY 503-823-6868,~~ Relay Service: 711.

H. Postponing Appeal Hearings before City Council

- ~~1. Land use hearings before Council may be postponed in accordance with Code Section 3.02.040-D.~~
- ~~2. Non-land use appeal hearings before Council may be postponed as follows:
 - ~~a. The Council Clerk will remove an appeal hearing from the Council agenda upon request by the Mayor, Commissioner, or City Auditor's office that filed the appeal for Council consideration ("appeal office").
 - ~~i. The Council agenda is generally published on Friday mornings. If the Council Clerk receives the request to postpone after the agenda is published, the Council Clerk will add a notation that the appeal office has asked to postpone the hearing, if time permits.~~
 - ~~ii. The bureau or office responsible for issuing hearing notices is responsible for issuing any required notices about the postponement.~~~~
 - ~~b. A party wishing to postpone a scheduled appeal hearing ("the party") must ask the appeal office to withdraw the item from the Council agenda. The appeal office may withdraw the hearing from the Council agenda in accordance with Subsection 2(a).
 - ~~i. If the appeal office declines to withdraw the item, the Council Clerk will remove the hearing from the Council agenda upon receipt of a request to postpone initiated by at least three Council members or their designated representative. The Council agenda is generally published on Friday mornings. If the Council Clerk receives the request to postpone after the agenda is published, the Council Clerk will add a notation that the appeal office has asked to postpone the hearing, if time permits.~~
 - ~~ii. The bureau or office responsible for issuing hearing notices is responsible for issuing any required notices about the postponement.~~~~~~

~~J. Maintaining and Updating the Portland City Code and Charter~~

~~The Council Clerk is responsible for maintaining the official copy of the Portland City Code and City Charter and publishing the Charter and Code online and archiving printable pdf versions and Code update packets that can be downloaded from the City's public electronic records portal, Efiles.~~

- ~~1. The Council Clerk updates the online version of the Code and Charter on a monthly basis.~~

~~2. The Council Clerk archives copies of the Charter as needed and Code and update pages in Efiles quarterly, except Title 33, which is maintained and archived by the Bureau of Planning and Sustainability.~~

~~3. City Bureaus can request printed copies directly from Printing and Distribution.~~

Auditor's Office Administrative Rule Information

Questions about this administrative rule may be directed to the [Council Clerk](#).

Auditor's Office Administrative Rule History

Filed for inclusion in PPD September 30, 2004.

Amended ~~rule adopted~~ by [the](#) City Auditor and filed in PPD September 12, 2006.

Amended ~~rule adopted~~ by [the](#) Chief Deputy Auditor ~~and filed in PPD~~ October 19, 2006.

Amended ~~rule adopted~~ by [the](#) City Auditor ~~and filed in PPD~~ March 7, 2013.

Amended ~~rule adopted~~ by [the](#) City Auditor ~~and filed in PPD~~ July 28, 2014.

Amended ~~rule adopted~~ by [the](#) City Auditor ~~and filed in PPD~~ January 5, 2016.

Amended ~~rule adopted~~ by [the](#) City Auditor ~~and filed in PPD~~ August 19, 2019.

Amended ~~rule adopted~~ by [the](#) City Auditor ~~and filed in PPD~~ March 14, 2021.

[Amended by the City Auditor \[DATE\], after a minimum 30-day public comment period.](#)