

Phase II Proposed Charter Amendments Advanced by Charter Commission for Public Comment

(Note: added language is underlined; deleted language is struck through)

Proposed Amendment #1 - Delete the prohibition on mandating the weatherization of structures built before September 1, 1979.

Attorney's Statement	Currently, the City cannot mandate weatherization for any building built before September 1, 1979, unless Council refers the weatherization mandate to voters. This limit was added in 1980 via initiative petition and passed with 56% of the vote. Under the proposed amendment advanced for public comment, the City would be able to move forward with longstanding climate and energy policy commitments which call for Portland to reach community-wide carbon neutrality and to eliminate fossil fuels entirely from electricity, buildings and transportation by 2050. These commitments require strong mandates around energy efficiency.
Fiscal Impact	No direct financial impact.

Current Charter Language	Phase II Language for Consideration
<p>Section 1-108. Mandatory Weatherization for Existing Buildings Requires Vote of the People. Except for the provisions of the Building Code of the City of Portland in effect on September 1, 1979, the Council of the City of Portland shall not pass or enforce any ordinance, resolution, law or program mandating weatherization for any building or structure built in the City of Portland prior to September 1, 1979, unless such ordinance, resolution, law or program is referred to the citizens of Portland for a vote. (Add. Nov. 4, 1980.)</p>	<p>Section 1-108. Mandatory Weatherization for Existing Buildings Requires Vote of the People. Except for the provisions of the Building Code of the City of Portland in effect on September 1, 1979, the Council of the City of Portland shall not pass or enforce any ordinance, resolution, law or program mandating weatherization for any building or structure built in the City of Portland prior to September 1, 1979, unless such ordinance, resolution, law or program is referred to the citizens of Portland for a vote. (Add. Nov. 4, 1980.)</p>

Proposed Amendment #2 - Clarify language to reflect the City's existing role to protect recreational and natural resources.

Attorney's Statement	Currently, the description of the City's role to establish and protect recreational and natural areas was last updated in 1966. Under the proposed amendment advanced for public comment, the description of the City's role would be clarified and streamlined.
Fiscal Impact	No direct financial impact.

Phase I Ballot Measure Language	Phase II Language for Consideration
<p>Section 12-101. Parks and Recreational Areas and Facilities. The City may establish parks, playgrounds, recreation areas and facilities of all kinds. For that purpose the City may acquire by purchase, condemnation, gift, grant, donation, exchange or otherwise, real and personal property and any interest therein; may rent or lease property of any kind for public use; and may construct, reconstruct, remodel, alter, repair, maintain, improve and equip areas and facilities which the City finds necessary, appropriate or desirable, either inside or outside the City. The City may exchange any property for other property which it deems more suitable or convenient for park and recreation use, and may dispose of the property not needed for those purposes. The City may establish exhibits and conduct programs for the education or the furtherance of public enjoyment and recreation, and may change, alter or discontinue them. The City may construct, reconstruct, alter, remodel, furnish and equip improvements found necessary or appropriate for the convenience of the public using park and recreation facilities, or of persons or employees conducting or assisting park or recreational programs or maintaining parks, areas, facilities, or improvements. The Mayor may contract with any public or private person in any matter relating to services or programs. The City may do all things the City finds necessary or</p>	<p>ARTICLE 1. RECREATIONAL AND NATURAL AREAS. Section 12-101. Parks and Recreational Areas and Facilities. <u>General Authority.</u> The City may establish parks, playgrounds, <u>forests, wetlands and human-built or natural</u> recreation areas and facilities of all kinds, <u>either inside or outside the City ("recreational and natural areas")</u>. For that purpose, the City may acquire by purchase, condemnation, gift, grant, donation, exchange or otherwise, real and personal property and any interest therein; <u>and</u> may rent or lease property of any kind for public use; <u>and may construct, reconstruct, remodel, alter, repair, maintain, improve and equip areas and facilities which the City finds necessary, appropriate or desirable, either inside or outside the City.</u> The City may exchange any property for other property which it deems more suitable or convenient <u>for the use or protection of recreational and natural areas</u> park and recreation use, and <u>the City</u> may dispose of the property not needed for those purposes. <u>The City may construct, reconstruct, remodel, alter, repair, preserve, restore, maintain, improve and equip recreational and natural areas.</u></p>

<p>convenient to promote recreational facilities and aesthetic enjoyment of the people, and the beautification of City property.</p>	<p>The City may establish, <u>alter or discontinue programs, services and exhibits</u> and conduct programs for the education <u>or enjoyment of the public or for the protection of recreational and natural areas</u>, the furtherance of public enjoyment and recreation, and may change, alter or discontinue them. The City may construct, reconstruct, alter, remodel, furnish and equip improvements found necessary or appropriate for the convenience of the public using park and recreation facilities, or of persons or employees conducting or assisting park or recreational programs or maintaining parks, areas, facilities, or improvements. The Mayor may contract with any public or private person in any matter relating to <u>programs, services or exhibits</u> programs. The City may do all things the City finds necessary or convenient to promote recreational <u>and natural areas</u>, facilities and aesthetic enjoyment of the people, and the beautification of City property.</p>
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Proposed Amendment #3 – Clarify language to reflect the City’s existing role to protect and manage water, sewage, and stormwater.

Attorney’s Statement	<p>Currently, the description of the City’s role to protect human health and the environment by managing sewage and stormwater was last updated in 1966.</p> <p>Under the proposed amendment advanced for public comment, the City’s role would be clarified with updated language.</p>
Fiscal Impact	<p>No direct financial impact.</p>

Current Charter Language	Phase II Language for Consideration
<p>[No language currently in Charter]</p>	<p>Section 2-105. Continuation of Specific Powers (a) 62 <u>To protect, restore, remediate or alter channels, riparian areas and floodplains of streams; improve waterfronts; protect, restore, expand, fill or grade lakes, ponds, wetlands and other waters, natural systems or constructed equivalents; increase or diminish the flow of waters over or into land, or in natural or artificial channels and purify those waters; perform other acts and things found necessary or appropriate for sewerage, drainage, purification and proper disposal thereof; and fix charges therefor. The Council may assess such charges as part of sewer, water and other charges.</u></p>
<p>Section 11-301. Sewage Disposal or Purification System. The City may construct, reconstruct, enlarge, alter, modify, equip, operate and maintain a sewage disposal or sewage purification system within or without the corporate limits or both, including but not limited to: all methods of storm drainage, intercepting sewers, diversion sewers, relieving or interconnection sewers, sewers to separate storm and sanitary sewage, pump or ejector stations and equipment, and plants for the treatment and disposal of sewage. For that purpose the City may acquire by any lawful means property, real or personal, interests in property, equipment, and related facilities and may make all expenditures which the City finds necessary or appropriate to carry out such purposes, either within or without the corporate limits. The City may sell or otherwise dispose of any or all by-products or salvage products from this operation. The City also may contract with any other person, public or private, to further purification of public waters or protection of the public health.</p>	<p>Section 11-301. Sewage Disposal or Purification System. The City may <u>protect, restore, construct, reconstruct, remediate</u>, enlarge, alter, modify, equip, operate and maintain a sewage <u>and stormwater</u> disposal or sewage purification system within or without the corporate limits or both, including but not limited to: all methods of storm drainage, <u>including the use of natural systems or constructed equivalents</u>, intercepting sewers, diversion sewers, relieving or interconnection sewers, sewers to separate storm and sanitary sewage, pump or ejector stations and equipment, and plants for the treatment and disposal of sewage. For that purpose the City may acquire by any lawful means property, real or personal, interests in property, equipment, and related facilities and may make all expenditures which the City finds necessary or appropriate to carry out such purposes, either within or without the corporate limits. The City may sell or otherwise dispose of any or all by-products or salvage products from this operation. The City also may contract with any other person, public or private, to further purification of public waters or protection of the public health.</p>

Proposed Amendment #4 - Delete vague and archaic language: “roaming the streets at unseasonable hours”.	
Attorney’s Statement	Currently, Council may “prohibit persons from roaming the streets at unseasonable hours.” Under the proposed amendment advanced for public comment, this section would be deleted in its entirety.
Fiscal Impact	No direct financial impact.
Current Charter Language	
Chapter 2, Section 2-105 Continuation of Specific Powers (a) 50. To prohibit persons from roaming the streets at unseasonable hours.	Chapter 2, Section 2-105 Continuation of Specific Powers (a) 50. To prohibit persons from roaming the streets at unseasonable hours.
Proposed Amendment #5 – Delete vague and archaic language: “offensive” businesses.	
Attorney’s Statement	Currently, Council may regulate, restrain and provide for the exclusion of businesses which are offensive or may create or constitute a nuisance. The reference to “offensive” is vague and archaic. Under the proposed amendment advanced for public comment, Council would retain authority to regulate, restrain and provide for the exclusion of businesses which may create or constitute a nuisance.
Fiscal Impact	No direct financial impact.
Phase I Ballot Measure Language	
Chapter 2, Section 2-105 Continuation of Specific Powers (a) 36. To regulate, restrain and to provide for the exclusion from the City, or any part thereof, of trades, occupations or businesses which are offensive or may create or constitute a nuisance, and to regulate uses of land and structures within the City.	Chapter 2, Section 2-105 Continuation of Specific Powers (a) 36. To regulate, restrain and to provide for the exclusion from the City, or any part thereof, of trades, occupations or businesses which are offensive or may create or constitute a nuisance, and to regulate uses of land and structures within the City.
Proposed Amendment #6 - Delete outdated, burdensome, and redundant requirements for franchise agreements.	
Attorney’s Statement	Currently, City Council approves franchise agreements via ordinance through an outdated, burdensome, and redundant process that includes publication of the proposed franchise – frequently 20+ pages in length – in a local newspaper, extended time between the first and second reading of the ordinance and requires the franchisee to sign the franchise and submit written acceptance of the franchise. Under the proposed amendment advanced for public comment, City Council would approve franchise agreements using a process similar to that of other ordinances.
Fiscal Impact	No direct financial impact.
Current Charter Language	
Section 10-205. Limited Time. Franchises may be granted for a limited time in and upon the streets, highways and public places and property of the City of Portland, in the manner and subject to the conditions hereinafter contained.	Section 10-205. Limited Time. Franchises may be granted for a limited time in, and upon, <u>under and above</u> the streets, highways and public places and property of the City of Portland, in the manner and subject to the conditions hereinafter contained.
Section 10-207. Method of Granting. Every franchise shall be embodied in an ordinance, which shall contain all the terms and conditions of the proposed grant, and shall be filed with the Auditor. Thereupon such proposed ordinance shall be published in full, once in the City official newspaper. There shall also be published, in a conspicuous place in such daily newspaper	Section 10-207. Method of Granting. Every franchise shall be embodied in an ordinance, which shall contain all the terms and conditions of the proposed grant., and shall be filed with the Auditor. Thereupon such proposed ordinance shall be published in full, once in the City official newspaper. There shall also be published, in a conspicuous place in such daily newspaper

<p>of the City having a circulation in excess of fifteen thousand (15,000), as the Council may direct, a notice prepared by the Auditor, that an application has been made for a franchise, giving the name of the applicant, the character and location of the proposed grant, and requesting any person having any objections to such proposed franchise or any provisions thereof to file the same in writing with the Auditor within twenty (20) days from the first publication of such notice. If the request is made therefor, the Council shall fix a time for a hearing upon such objections and give reasonable notice of the time thereof and not less than five (5) days. All of such publications and notices shall be at the expense of the applicants for such franchises.</p> <p>Such ordinances shall not come up for first reading until after the expiration of the said twenty (20) days.</p> <p>If such ordinance shall be amended, it shall be republished in the City official newspaper in full as amended.</p> <p>No such ordinance granting a franchise shall be put on final passage within thirty (30) days after the first reading nor within twenty (20) days after any amendment thereto, and the affirmative vote of four (4) Commissioners <u>nine (9) Councilors</u> shall be required to pass the same.</p>	<p>of the City having a circulation in excess of fifteen thousand (15,000), as the Council may direct, a notice prepared by the Auditor, that an application has been made for a franchise, giving the name of the applicant, the character and location of the proposed grant, and requesting any person having any objections to such proposed franchise or any provisions thereof to file the same in writing with the Auditor within twenty (20) days from the first publication of such notice. If the request is made therefor, the Council shall fix a time for a hearing upon such objections and give reasonable notice of the time thereof and not less than five (5) days. All of such publications and notices shall be at the expense of the applicants for such franchises.</p> <p>Such ordinances shall not come up for first reading until after the expiration of the said twenty (20) days.</p> <p>If such ordinance shall be amended, it shall be republished in the City official newspaper in full as amended.</p> <p>No such ordinance granting a franchise shall be put on final passage within thirty (30) days after the first reading nor within twenty (20) days after any amendment thereto, and the affirmative vote of nine (9) Councilors shall be required to pass the same.</p>
<p>Section 10-208. Effective Date. No franchise shall take effect until sixty (60) days after its passage unless it shall receive a majority of the votes cast thereon at a referendum election held for that purpose within a less time. The filing of a petition for referendum shall defer the taking effect of a franchise until after the election. A petition signed by two thousand (2,000) registered voters shall be sufficient to call a referendum upon any franchise ordinance.</p>	<p>Section 10-208. Effective Date. No franchise shall take effect until sixty (60) days after its passage unless it shall receive a majority of the votes cast thereon at a referendum election held for that purpose within a less time. The filing of a petition for referendum shall defer the taking effect of a franchise until after the election. A petition signed by two thousand (2,000) registered voters shall be sufficient to call a referendum upon any franchise ordinance.</p>
<p>Section 10-212. Written Acceptance. Every grantee of any franchise, right or privilege shall within thirty (30) days after the ordinance granting the same shall be enforced, file with the City Auditor Recorder a written acceptance of the same, and a failure on the part of the grantee to file such written acceptance within the time specified shall be deemed an abandonment and rejection of the rights and privileges conferred, and the ordinance granting the same shall thereupon be null and void; such acceptance shall be unqualified and shall be construed to be an acceptance of all the terms, conditions and restrictions contained in the ordinance granting the same.</p>	<p>Section 10-212. Written Acceptance. Every grantee of any franchise, right or privilege shall within thirty (30) days after the ordinance granting the same shall be enforced, file with the City Auditor Recorder a written acceptance of the same, and a failure on the part of the grantee to file such written acceptance within the time specified shall be deemed an abandonment and rejection of the rights and privileges conferred, and the ordinance granting the same shall thereupon be null and void; such acceptance shall be unqualified and shall be construed to be an acceptance of all the terms, conditions and restrictions contained in the ordinance granting the same.</p>
<p>Section 10-213. Statements. Within ninety (90) days after this Charter shall take effect, the holder of any franchise shall file with the Auditor a full and correct statement of the franchise, rights and privileges owned or claimed to be owned, and shall designate the same by the numbers and titles of the ordinances by which such franchises were granted, and any holder of any franchise, on failure so to do, shall be guilty of an offense punishable by a fine of not less than ten dollars (\$10) and not more than one hundred dollars (\$100) per day while such refusal or neglect continue. The holder of every franchise, and the grantees of every franchise hereafter granted, on sale, transfer, mortgage or lease being made of such franchise, shall within sixty (60) days thereafter file with the Auditor a copy of the deed, agreement, mortgage, lease, or other written instrument evidencing such sale, transfer or lease, certified and sworn to as correct by the grantee, in person, if an individual, or by the president or secretary or authorized agent, if a corporation.</p> <p>Every sale, transfer, mortgage or lease of such franchise, whether voluntary or involuntary, shall be deemed void and of no effect unless the grantee shall, within sixty (60) days after the same shall have been made, file such certified copy as required by this Section and consented to as provided in Section 10-216 of this Charter, also</p>	<p>Section 10-213. Statements. Within ninety (90) days after this Charter shall take effect, the holder of any franchise shall file with the Auditor a full and correct statement of the franchise, rights and privileges owned or claimed to be owned, and shall designate the same by the numbers and titles of the ordinances by which such franchises were granted, and any holder of any franchise, on failure so to do, shall be guilty of an offense punishable by a fine of not less than ten dollars (\$10) and not more than one hundred dollars (\$100) per day while such refusal or neglect continue. The holder of every franchise, and the grantees of every franchise hereafter granted, on sale, transfer, mortgage or lease being made of such franchise, shall within sixty (60) days thereafter file with the Auditor a copy of the deed, agreement, mortgage, lease, or other written instrument evidencing such sale, transfer or lease, certified and sworn to as correct by the grantee, in person, if an individual, or by the president or secretary or authorized agent, if a corporation.</p> <p>Every sale, transfer, mortgage or lease of such franchise, whether voluntary or involuntary, shall be deemed void and of no effect unless the grantee shall, within sixty (60) days after the same shall have been made, file such certified copy as required by this Section and consented to as provided in Section 10-216 of this Charter, also</p>

unless the Council agrees to such sale by an ordinance expressly passed for that purpose, as provided by Section 10-216.	unless the Council agrees to such sale by an ordinance expressly passed for that purpose, as provided by Section 10-216.
The Auditor shall file all such documents and shall make and keep an index of the same in a book to be kept by the Auditor for that purpose, which book shall be a part of the public records of the City.	The Auditor shall file all such documents and shall make and keep an index of the same in a book to be kept by the Auditor for that purpose, which book shall be a part of the public records of the City.

Proposed Amendment #7 - Remove the 5% cap on the City’s transient lodgings tax.

Attorney’s Statement	Currently, the City is limited to assessing a 5% tax on the amount paid for the privilege of occupancy or lodging in hotels, motels and short-term rentals. Under the proposed amendment advanced for public comment, the City would be able to assess a higher tax on transient lodging. The Portland limit was set at a time when typical transient lodging tax rates were lower in Oregon and across the country.
Fiscal Impact	No direct financial impact but may result in the City’s ability to collect increased revenue.

Current Charter Language	Phase II Language for Consideration
<p>Section 7-113. Transient Lodgings Tax. 1. The Council may by ordinance impose and levy a tax not exceeding five percent on gross amounts of money, credit or other things of value paid to or received for lodging by the owner or operator of any hotel, motel, apartment or lodging house, mobile home or trailer park or court, or any other place in the City where space designed or intended for lodging occupancy is rented by any person or persons, for any period less than monthly. This tax shall not apply to hospitals, convalescent or nursing homes, or public institutions, or permanent occupancy as defined by ordinance. Minimum rentals to which the tax shall apply may be fixed by ordinance. The tax imposed shall be collected by the owner or operator of the rental space in addition to the rental charge, at the time of payment of rent. City revenues from such taxes shall be credited to the General Fund of the City and used for general City purposes, as the Council may find appropriate, which may include provision for and the acquisition, construction, operation and maintenance of recreational, cultural, convention or tourist-related facilities or services.</p>	<p>Section 7-113. Transient Lodgings Tax. 1. The Council may by ordinance impose and levy a tax not exceeding five percent on gross amounts of money, credit or other things of value paid to or received for lodging by the owner or operator of any hotel, motel, apartment or lodging house, mobile home or trailer park or court, or any other place in the City where space designed or intended for lodging occupancy is rented by any person or persons, for any period less than monthly. This tax shall not apply to hospitals, convalescent or nursing homes, or public institutions, or permanent occupancy as defined by ordinance. Minimum rentals to which the tax shall apply may be fixed by ordinance. The tax imposed shall be collected by the owner or operator of the rental space in addition to the rental charge, at the time of payment of rent. City revenues from such taxes shall be credited to the General Fund of the City and used for general City purposes, as the Council may find appropriate, which may include provision for and the acquisition, construction, operation and maintenance of recreational, cultural, convention or tourist-related facilities or services.</p>

Proposed Amendment #8* - Increase Risk Management’s settlement authority from \$5,000 to \$25,000.

Please Note: An increase to the City’s Division of Risk Management’s authority to settle claims was part of the larger measure on the ballot in November. Because that measure passed, this proposed amendment will not move forward because it is unnecessary. We are leaving the placeholder here so people can track proposal numbers.

Proposed Amendment #9 – Update, and make consistent, references to “protected classes”.

Attorney’s Statement	Currently, the Charter includes multiple references to protected classes but always describes the protected classes differently. Under the proposed amendment advanced for public comment, all references to protected classes would use the following updated and consistent language: “protected class under local ordinance, or state or federal law.”
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Fiscal Impact	No direct financial impact.	
Current Charter Language		Phase II Language for Consideration
Section 2-1008. Duties of the Board (b) All complaints of force that result in injury, discrimination against a protected class under local, state or federal law, violations of federal or state constitutional rights.		Section 2-1008. Duties of the Board (b) All complaints of force that result in injury, discrimination against a protected class <u>under local ordinance, or state or federal law</u> , violations of federal or state constitutional rights.
Section 4-101. Merit Principle. All appointments and promotions to positions in the classified service shall be made solely on the basis of merit and fitness demonstrated by a valid and reliable examination or other objective evidence of competence. Such appointments and promotions shall provide fair and equal opportunity without regard to race, religion, gender, marital and family status, national origin, age, mental or physical disability, sexual orientation, gender identity, source of income, and such other criteria as determined by the City Council by ordinance. The goal of the merit system is a workforce that reflects the aspirations and values of the City it serves.		Section 4-101. Merit Principle. All appointments and promotions to positions in the classified service shall be made solely on the basis of merit and fitness demonstrated by a valid and reliable examination or other objective evidence of competence. Such appointments and promotions shall provide fair and equal opportunity without regard to <u>protected classes under local ordinance, or state or federal law</u> race, religion, gender, marital and family status, national origin, age, mental or physical disability, sexual orientation, gender identity, source of income, and such other criteria as determined by the City Council by ordinance . The goal of the merit system is a workforce that reflects the aspirations and values of the City it serves.
Section 12-102. Regulations and Restrictions. The Mayor may make regulations and impose restrictions on public use of parks, recreational areas and facilities as found needed and appropriate, may exclude some or all kinds of vehicles from all or particular areas of any park or facilities, may limit to a particular class or classes of persons those permitted to use any particular area or facility if the limitation is not based on race, color, creed or national origin, and may restrict the kinds and times of public use.		Section 12-102. Regulations and Restrictions. The Mayor may make regulations and impose restrictions on public use of parks, recreational areas and facilities as found needed and appropriate, may exclude some or all kinds of vehicles from all or particular areas of any park or facilities, may limit to a particular class or classes of persons those permitted to use any particular area or facility if the limitation is not based on <u>a protected class under local ordinance, or state or federal law</u> race, color, creed or national origin , and may restrict the kinds and times of public use.
Proposed Amendment #10 – Replace “disability” with “incapacity” when referencing an elected official’s inability to perform their duties.		
Attorney’s Statement	Currently, the word “disability” is used to describe situations where an elected official is unable to perform their duties. Under the proposed amendment advanced for public comment, the word “incapacity” would be used in place of “disability.” This change reflects the reality that an elected official can be or become disabled and still perform their duties.	
Fiscal Impact	No direct financial impact.	
Phase I Ballot Measure Language		Phase II Language for Consideration
Section 2-206. Vacancies in Office, Filling of Vacancies. In the event of the death or disability preventing the performance of six (6) or more Councilors due to natural disaster, calamity, accident or enemy attack, the following City officials in the order named succeed to the vacancies on the City Council: Chiefs of Staff of deceased or disabled Councilors, City Administrator, City Attorney, City Auditor and Mayor. In the event of the death or disability preventing the performance of the Mayor due to natural disaster, calamity, accident or enemy attack, the Mayor’s Chief of Staff succeeds to the vacancy. A Councilor or Mayor may resume performance if the disability no longer prevents performance.		Section 2-206. Vacancies in Office, Filling of Vacancies. In the event of the death or disability <u>incapacity</u> preventing the performance of six (6) or more Councilors due to natural disaster, calamity, accident or enemy attack, the following City officials in the order named succeed to the vacancies on the City Council: Chiefs of Staff of deceased or disabled <u>incapacitated</u> Councilors, City Administrator, City Attorney, City Auditor and Mayor. In the event of the death or disability <u>incapacity</u> preventing the performance of the Mayor due to natural disaster, calamity, accident or enemy attack, the Mayor’s Chief of Staff succeeds to the vacancy. A Councilor or Mayor may resume performance if the disability <u>incapacity</u> no longer prevents performance.
Section 2-110. Organization. At its first regular meeting each calendar year, or oftener at its option, the Council shall elect a President and Vice President by majority vote of those present. The President shall preside at all meetings of the Council. In the President’s absence or disability, the Vice President of the Council shall perform the duties of the President. In the		Section 2-110. Organization At its first regular meeting each calendar year, or oftener at its option, the Council shall elect a President and Vice President by majority vote of those present. The President shall preside at all meetings of the Council. In the President’s absence or disability <u>incapacity</u> , the Vice President of the Council shall perform the duties of the

absence or disability of both President and Vice President, the other members of the Council shall select one of their number to perform the duties of President and Vice President during such absence.	President. In the absence or disability <u>incapacity</u> of both President and Vice President, the other members of the Council shall select one of their number to perform the duties of President and Vice President during such absence.
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Proposed Amendment #11 – Creates an Independent Portland Elections Commission.

Attorney’s Statement	Currently, the Portland Elections Commission exists in Portland City Code, which can be amended at any time by the City Council. Under the proposed amendment advanced for public comment, the Independent Portland Elections Commission would exist in the Charter, which can only be amended by the affirmative vote of a majority of Portland voters. Creating the Commission and authorizing the Commission to implement public financing and other elections programs, in the Charter helps insulate the public financing program from real and perceived conflicts of interest by elected officials who may use the program to run for reelection.
Fiscal Impact	No direct financial impact.

Current Charter Language	Phase II Language for Consideration
[No language currently in Charter]	<p>CHAPTER 3 – NOMINATIONS AND ELECTIONS <u>ARTICLE 4. INDEPENDENT PORTLAND ELECTIONS COMMISSION.</u> <u>Section 3-401. Authority and Duties.</u> <u>The Independent Portland Elections Commission is established. The Commission implements the City’s public financing of elections program as adopted by ordinance. The Commission may implement any other law or program related to elections, campaign finance or related subjects if delegated by City Council or the Auditor to the Commission.</u></p> <p><u>The Independent Portland Elections Commission consists of nine City residents who collectively represent the City’s diversity. To fill vacancies, the Commission recommends candidates for Mayoral appointment and City Council confirmation. Commission members may be removed prior to the completion of the member’s term according to this Charter or by a process outlined in the Commission’s bylaws.</u></p> <p><u>The Independent Portland Elections Commission annually notifies the Mayor and City Council of the funding required to ensure the solvency of the public financing of elections program and other duties carried out by the Commission. The Commission has a budget as provided by Council.</u></p>

Proposed Amendment #12– Create an article dedicated to environmental issues that includes environmental justice as a core value of the City, requires the City to assess the climate impact of its decisions and establishes a right to a clean and healthy environment.

Attorney’s Statement	Currently, there is no language in the Charter specific to environmental issues. Under the proposed amendment advanced for public comment: (1) environmental justice would become a core value of the City, in addition to any other core values adopted by the City Council; (2) the City would assess the climate impact of its decisions and actively manage the decline of fossil fuel use within its boundaries; and (3) all residents would have a right to a clean and healthy environment.
Fiscal Impact	This proposal requires the City to assess the climate impacts of its decisions. The City Budget Office interprets this proposal as requiring the City to provide proactive climate assessments on all capital projects and major policy, land use and zoning changes. This requirement would be a major initiative; for example, the City currently has over 416 capital projects underway. The City Budget Office is still working on a full range of cost estimates to implement this proposal, but currently estimates that the low end cost range would be \$14.4 million annually to implement (in Fiscal Year 2025-26 dollars). The lower end estimate includes costs for staffing in all five major infrastructure bureaus (four full-time staff per infrastructure bureau for \$2.4M), staffing in the Bureau of Planning & Sustainability (three full-time staff for \$600,000), training support (\$500,000), and consultancy support (assumes 50 of the 416 project require consultant assistance at \$200,000/project for \$10.9M once adjusted for

	inflation over two years). This funding would come from multiple bureau sources, including the General Fund and Water and Sewer ratepayer funds. The City Budget Office is working to refine the higher end cost estimate and anticipates having more information in the next 1-2 weeks.
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Current Charter Language	Phase II Language for Consideration
[No language currently in Charter]	<p>CHAPTER 2 – GOVERNMENT ARTICLE 11. ENVIRONMENT. Section 11-1101. Environmental Justice. <u>Environmental justice is a core value of the City. Environmental justice means the fair treatment and meaningful involvement of all people, regardless of protected classes under local ordinance, or state or federal law, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Environmental justice is achieved when all Portland residents enjoy the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, work, learn, and play. The City Council may adopt additional core values of the City.</u></p>
[No language currently in Charter]	<p>CHAPTER 2 – GOVERNMENT ARTICLE 11. ENVIRONMENT. Section 11-1102. Climate Commitment. <u>The City must establish climate action goals. By July 2026, the City must assess the climate impact of its decisions. The assessment must integrate environmental justice and the best available science. The assessment must evaluate City projects and policies; help prevent City projects and policies inconsistent with the City’s climate action goals; and ensure decisions are informed, particularly decisions that impact capital investments or areas where the City exercises environmental, safety, land use, zoning, or design review authority.</u></p> <p><u>The City must actively manage the decline of fossil fuel use within its boundaries, consistent with environmental justice, public health, seismic resiliency, and the best available science.</u></p>
[No language currently in Charter]	<p>CHAPTER 2 – GOVERNMENT ARTICLE 11. ENVIRONMENT. Section 11-1103. Environmental Right. <u>All Portland residents including those of future generations have a right to a clean and healthy environment. The City must equitably protect this right for all its residents</u></p>

Proposed Amendment #13– Establish meaningful public engagement as a core value of the City.

Attorney’s Statement	Currently, the City must comply with the Oregon Public Meetings and Public Records Laws, but public engagement is not explicitly referenced in the Charter. Under the proposed amendment advanced for public comment, meaningful public engagement would become a core value of the City, in addition to any other core values adopted by the City Council.
Fiscal Impact	No direct financial impact.

Current Charter Language	Phase II Language for Consideration
[No language currently in Charter]	<p>CHAPTER 1 – CORPORATE EXISTENCE AND POWERS ARTICLE 1. POWERS, RIGHTS AND LIABILITIES. Section 1-108 Public Engagement.</p>

	<p><u>Meaningful public engagement is a core value of the City. Meaningful public engagement means regular, consistent, transparent, and accessible mechanisms for residents to engage on issues that directly impact communities, and to have resident voices heard and integrated in making laws and policies. Meaningful public engagement is achieved when all Portland residents enjoy the same degree of access to the City’s decision-making processes. The City Council may adopt additional core values of the City.</u></p>
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Proposed Amendment #14- Require the City to create by ordinance a participatory budgeting program open to all residents.

Attorney’s Statement	<p>Currently, the City has no participatory budgeting program.</p> <p>Under the proposed amendment advanced for public comment, the City would need to create a participatory budgeting program where Portland residents would be responsible for allocating at least 1% of the City’s General Fund discretionary ongoing resources. The decisions would be binding.</p>
Fiscal Impact	<p>The proposal would require the City to set aside 1% of the City’s General Fund discretionary resource for reallocation to City bureaus and services through a participatory budgeting process. Using the latest forecast information, a 1% General Fund discretionary set aside beginning in Fiscal Year 2025-26 would be \$7.3 million. (Note, this figure may be updated in December due to an updated forecast coming available).</p>

Current Charter Language	Phase II Language for Consideration
[No language currently in Charter]	<p>CHAPTER 2 – GOVERNMENT ARTICLE 1. THE COUNCIL. Section 2-129. Participatory Budgeting. <u>To further public engagement and democratic involvement in city spending, the City must create by ordinance a participatory budgeting program open to all residents, consistent with the Oregon Local Budget Law. Annual funding for the program must be no less than 1% of the City’s General Fund discretionary ongoing resources, and the public’s funding allocation decisions must be binding. The program must begin operating no later than July 2026.</u></p>

Proposed Amendment #15 – Expand right to vote in City elections to the fullest extent allowed by law.

Attorney’s Statement	<p>Currently, state law provides that Portland residents who are United States citizens 18 years of age or older are eligible to register to vote.</p> <p>Under the proposed amendment advanced for public comment, the City would be required to extend the right to vote, including to noncitizens, to the fullest extent allowed by law.</p>
Fiscal Impact	<p>This proposal would require the City to conduct periodic voter education campaigns to familiarize voters with voter eligibility estimated to cost \$100,000 annually (or \$200,000 per two-year election cycle).</p>

Current Charter Language	Phase II Language for Consideration
[No language currently in Charter]	<p>CHAPTER 3 – NOMINATIONS AND ELECTIONS ARTICLE 1. GENERAL PROCEDURE. Section 3-111. Right to Vote in City Elections. <u>The City must extend the right to vote, including but not limited to extending the right to vote to noncitizens, in elections for City elected officials and on City measures, to the fullest extent allowed by law. The City must conduct periodic voter education campaigns to familiarize voters with voter eligibility.</u></p>