

UPDATE of Portland City Code 3.02

(Council Organization and Procedure)

Background

The Charter Implementation Transition Team is recommending code amendments required by the voter approved charter amendments to support the new legislative council’s successful operation in January 2025. The team recognizes that the January 2025 council may want to consider additional and/or different organization and procedure policies.

All recommendations below are preliminary and may be updated at any time.

Role of Council President

Policy Question: Per the charter, the Council President will preside over council meetings. What other duties should be delegated to the president or retained by council?	
Preliminary choice: Assign duties as outlined below.	
Rationale: Many new councilors will begin office under a new form of government, and basic structures and rules of procedure will support council’s success. Assigning core duties to the Council President provides accountability and a clear decision maker for core operational needs. Assigning other duties to the whole council provides a process for the entire council to make important policy decisions.	
Responsible Body	Core Duty
President	Promote efficient Council operations, including coordination and submission of agenda items to the Auditor, and assist in preparing the agenda.
	Assign seats at the dais in council chambers.
	Set limits for public testimony.
	Speak to points of order before other Councilors.
	Decide questions of order subject to appeal to the entire Council by three Councilors
	May assign submitted agenda items to the appropriate committee or Council
	Sign items approved by Council when necessary
	Serve as primary point of contact between Council and the Mayor and City Administrator
Council	Council committees are formed by resolution including the subject matter, duties, membership, and chair
	Council may relieve a committee of legislation by majority vote of Councilors in attendance

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Council Meeting Schedule

Policy Question: Does the Council meeting schedule need to be altered?
Preliminary choice: Meet at least two times per calendar month with at least one being a night meeting. Council may adopt a schedule by ordinance.
Rationale: New council must establish good working relationships, a clear understanding of their roles as councilors, and long-term rules and procedures for council operations. They will also need to form and begin working in committees. The team proposes beginning with a minimum number of meetings per month, with the understanding that council can adjust the meetings schedule as necessary in the future. Additionally, evening meetings increase accessibility and equity of access to council for community members who work during the day and are typically unable to participate in council meetings.
Future recommendations needing consideration
Adjustments to the council meeting cycle to allow for timely flow of legislation between council and committees and increased public engagement.

Voting Requirements

Policy Question: Charter outlines some vote requirements. Where the charter is silent, what vote requirements should be established in code?	
Preliminary choice: Use local governance best practices.	
Rationale: Establishing clear vote requirements is important for the transaction of city business to be done effectively, efficiently, with a transparent process, and a balance of legislative powers across districts whenever possible.	
Requirements <u>Defined</u> in Charter	
Council Action	Vote Threshold
Consent agenda	Unanimous vote of all present, and no less than 9
Ordinance Non-emergency both quasi-judicial and non-quasi-judicial	Affirmative vote of 7
Emergency ordinance	Affirmative vote of 9
Franchise ordinance	Affirmative vote of 9
Requirements NOT Defined in Charter	
Council Action	Vote Threshold
Resolution	Affirmative vote of 7
Report	Affirmative vote of 7
Quasi-judicial Land Use Decision (as governed by PCC Title 33)	Affirmative vote of 7

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Hold special meeting	Special meetings may be held at any time upon a request signed by seven Councilors or signed by six Councilors and the Mayor. Notice must be posted at least 24 hours before the meeting.
Hold <u>emergency</u> special meeting	The Council President, the Council Vice President, any four Councilors or the Mayor may call an emergency meeting with less than 24 hours' notice under any of the following: <ul style="list-style-type: none"> a. A disaster has occurred or is imminent; b. An emergency affecting or tending to affect the public health or safety; c. War or hostile enemy action; d. A civil defense alert on the immediate possibility of enemy action; e. An emergency declared by the Governor; or f. An emergency declared by the President of the United States.
Suspension of Rules	Affirmative vote of 8, however Council may not suspend rules that reflect a Charter provision
Actions not defined in this chapter	Roberts Rules of Order Newly Revised
Future recommendations needing consideration	
<ol style="list-style-type: none"> 1) Process for handling tie votes in committees (aka "divided reports"). 2) Process for sending items with tie votes in Council to the Mayor for tie breaking. 	

Council Meetings

Policy Question: In what ways does the management of council meetings need to be altered?	
Preliminary choice: Use local governance best practices.	
Rationale: Many new councilors will begin office under a new form of government, and basic structures and rules of procedure will support council's success.	
Council Action	Recommendation
Presiding officer prior to council president election	Auditor, through the Council Clerk, with assistance of legal counsel, is presiding officer until council president is elected.
Voting order	Presiding officer votes last. Other Councilors vote by districts in numerical order, then by alphabetical order of last name within each district. Quarterly, the beginning district is rotated to the end.
Approve or amend agenda	To balance council president's authority in helping finalize the council agenda, the affirmative vote of at least a majority of Councilors present is required to approve the agenda, to

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	reorder items on the agenda, or to add an item to the next meeting's agenda.
Future recommendations needing consideration	
Process for when the mayor is expected to attend council – annual State of The City, budget presentation, proclamations, ceremonial resolutions, etc.	

Phase II

Other organization and procedure topics for consideration by 2025 City Council
<ol style="list-style-type: none">1) Recommendations for adjustments to council meeting schedule to promote greater accessibility to the public.2) Recommendations on updates to rules about public testimony.3) Recommendations on committees and subcommittees, including topics of focus and how they operate.4) Recommendations on which ceremonial proclamations or resolutions remain with Council.