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## **ARA 4.14 REQUIREMENTS FOR PUBLIC MEETINGS**

### **A. Purpose**

This rule sets forth policies and procedures for meetings that are open to the public and hosted by an Auditor's Office employee or division, or any committee, subcommittee, or advisory group under the Auditor's Office. The purpose of this rule is to ensure that the Auditor's Office's public meetings are accessible to the public and comply with applicable Oregon public meetings laws.

### **B. Application – "Public Meeting"**

1. This rule applies to the Auditor's Office's public meetings. For purpose of this rule:

a. A "public meeting" is defined broadly to include all meetings that are:

i. Hosted by:

A. An Auditor's Office employee or division in the course of their employment; or

B. A committee, subcommittee, or advisory group under the Auditor's Office;

and

ii. The meeting is:

A. Advertised as open to the public; or

B. Is a meeting of a committee, subcommittee, or advisory group that has the authority to make decisions or recommendations on policy or

administration to the City Council and requires a quorum to make decisions.

b. A "meeting host" is the chair or facilitator of the meeting on behalf of the Auditor's Office.

2. This rule does not apply to City Council meetings.

### **C. Notice**

1. Notice of all public meetings must:

a. Include the time, place, purpose, and subjects of the meeting.

b. Be posted one week or more in advance of the meeting whenever possible, but no less than 24 hours before the meeting,

c. Be advertised, at a minimum, on the Auditor's Office website. Meeting hosts are encouraged to provide notice in multiple locations, including emails, press releases, and social media.

2. *If a meeting will consist only of an executive session:* Notice must be given to the members of the governing body, to the general public, and to news media that have requested notice.

a. The notice must state the specific legal provision authorizing the executive session.

b. Media must be provided access to any executive sessions, unless an Oregon Revised Statute exemption applies.

### **D. Access**

1. The meeting location should be large enough to hold the anticipated attendance, and cannot be a place that discriminates based on race, ethnicity, sex, gender, sexual orientation, nation of origin, age, or disability.
2. When meetings are held by phone or virtually:
  - a. A call-in number or the means to attend the meeting electronically, at the time the meeting occurs, must be provided to the public. When possible, the meeting host should also make available at least one place where the public may listen to the meeting at the time it occurs.
3. The meeting host must ensure meaningful access by providing reasonable accommodations at all public meetings, such as interpretation and auxiliary aids and services (e.g., American Sign Language and closed captioning).

#### **E. Virtual Meetings**

Where meetings are hosted virtually, using platforms such as Zoom, Skype, or Microsoft Teams, special consideration must be given to ensure access and keep order.

1. In addition to the time, purpose, and subject of the meeting, the notice for virtual meetings must:
  - a. Provide information for the livestream virtual meeting, a call-in number to participate by telephone, or request an RSVP (and provide the information in response).
  - b. Encourage participants to test the platform in advance.
  - c. Ask participants to identify and request accessibility accommodations and language access needs at least 72 hours in advance.
3. The meeting host must notify participants, at the start of the meeting, that the meeting is public and is being livestreamed and/or recorded, and that their images and names may be visible to others in the meeting.

4. The meeting host must take reasonable steps to prevent hacking and trolling (e.g., “Zoom bombers”), including:
  - a. If needed, require attendees to be manually “invited” or required to provide a password to enter the meeting. If a password is required, the password should be provided to participants as part of the registration process.
  - b. Disable participants’ ability to join the meeting before the host.
  - c. Turn off file and screen sharing capabilities for participants.
  - d. Ensure the host has the ability to remove participants if needed and disable the participant from rejoining the meeting.
5. The meeting host is required to maintain an orderly meeting, to a degree similar to in-person meetings, and must:
  - a. Mute all participants upon arrival.
  - b. Remove participants who violate [City Code Chapter 3.18](#) on the Rules of Conduct.
  - c. Manage participant testimony. The host must:
    - i. Require participants to provide testimony verbally, unless the individual requires an accommodation. The host may solicit written testimony prior the meeting, if appropriate.
    - ii. Turn off comment or chat features, except for the host, co-host, and official event panelists.
    - iii. Where the platform provides a “Q & A” feature or other features that allow participants to interact with the host, do not allow anonymous entries or allow attendees to view the questions.

## **F. Record Keeping**

1. If a meeting is a public meeting under Section B(1)(a), the meeting host must ensure that a record of the meeting (written minutes or an audio or visual recording) is kept. Minutes must include the members present, all motions and votes taken, and the substance of any discussion.
  2. Public records and records retention policies apply to virtual meetings. All virtual meetings should be recorded.
    - a. Because many platforms will end recordings if the host leaves the meeting, the meeting host must ensure there is at least one backup host for each meeting to mitigate the risk that technical issues will result in lost records.
    - b. Comment and chat are subject to public records laws. The meeting host must limit comment or chat features to transitory conversations (e.g., to troubleshoot technical issues) between hosts and panelists.
    - c. The meeting host must ensure that the platform provides the recording and any other records after the meeting is closed, and must maintain the recording in accordance with applicable records retention requirements.
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## **Auditor's Office Administrative Rule Information and History**

Questions about this administrative rule may be directed to the [Auditor's Office's Operations Management Division](#).

Adopted by the City Auditor on October 5, 2020, as an interim rule effective for not more than 180 days.

Amended by the City Auditor after a 30-day public comment period on September 29, 2022.