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## **ARA 7.02 - COUNCIL CLERK POLICIES & PROCEDURES**

### **A. Purpose and Authority**

This rule sets forth the policies and procedures that apply to the duties performed by the Council Clerk, within the Auditor's Office's Council Clerk / Contracts Division.

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 transcribing the official summary 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 notice of Council member absences 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. An earlier deadline may be announced when needed because of a holiday.
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.

#### **F. Communications before City Council**

1. Because many issues can be resolved directly with City Bureaus, community members should consider contacting a Commissioner's Office or Bureau for assistance before requesting a Communication at a Council meeting.
2. 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 Wednesday agenda in the Communication section.

3. The Communications portion of the Council agenda allows individuals to address Council on a subject of the requester's choosing for three minutes. Communications do not provide an opportunity for dialogue with Council members.
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 (*i.e.*, the deadline is at least eight days before the meeting). An earlier deadline may be announced when needed because of a holiday.
  - b. Requests may be hand delivered, emailed, or mailed to the Council Clerk.
  - c. Requests should include the date the requester wishes to speak, the requester's name, address, and phone number, and a sentence regarding the issue the requester wishes to address. Contact information 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.
5. The Council Clerk will publish the requestor's name and the general subject of the Communication in the Wednesday agenda. Third-party names will not be published.
6. The requester will have three minutes to speak, and may also submit written testimony before or at the Council meeting. If written testimony is submitted, seven copies should be provided.
7. Up to five Communications are scheduled per week.
8. Requesters are limited to one scheduled communication per calendar month.
9. Requesters may schedule Communications no more than two months in advance.
10. If a Council meeting is cancelled, individuals with scheduled Communications will be notified of the next available open date.

## **G. Public Testimony on Agenda Items before City Council**

1. Testimony may be taken on resolutions and ordinances at their first reading. Testimony is not taken on Communications, second readings, proclamations, or presentations. Testimony may be taken on reports at the Presiding Officer's discretion, per Code 3.02.040 G.5.
2. Individuals wishing to provide public testimony on an agenda item must sign up, in person, on a first come, first served basis.
  - a. The Council Clerk generally places a sign-up sheet outside Council Chambers one-half hour before the scheduled meeting.
  - b. For selected agenda items for which a large turnout is expected, signup sheets are generally set out one hour before the meeting.
3. Written testimony may be emailed or mailed to the Council Clerk prior to the meeting.
4. During the Council meeting, the Council Clerk will read the names, in groups of three, of all individuals who have signed up to testify on each agenda item for which public testimony is permitted.
  - a. The three individuals called will come up to the table as a group.
  - b. 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.

## **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).
- c. 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 initialed by at least three Council members or their designated representative.
  - 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.

## **I. Accessibility**

The City of Portland is committed to providing meaningful access.

1. The Council chamber is equipped with a system for the hearing impaired. Assisted listening devices are available from the Clerk.
2. Language services, modifications, accommodations, alternative formats, auxiliary aids, or other services to ensure access may be requested from Council Clerk at (503) 823-4082, City TTY 503-823-6868, Relay Service: 711. Whenever possible, requests should be submitted at least 72 hours in advance to help ensure availability.

## **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 coordinating the publishing of the Code on paper, CD, and on-line.

1. The Council Clerk updates the online version of the Code monthly.
2. The Council Clerk archives the Code and update pages in Efiles quarterly, except Title 33, which is maintained and archived by the Bureau of Planning and Sustainability.
3. The City Charter is updated when voters approve an addition, deletion, or amendment to the Charter. The update occurs approximately one month after the election.
4. Paper and CD versions of the Code, including Title 33, may be purchased by request for a fee.
5. City Bureaus are required to request printed copies directly from [Printing and Distribution](#).

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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 Management Services Division](#).

Filed for inclusion in Portland Policy Documents September 30, 2004 as ARB-ADM-7.02 – Council Clerk Program Policies & Procedures.

Amended rules adopted by the City Auditor September 12, 2006, October 19, 2006, March 7, 2013, July 28, 2014, and January 5, 2016.

Last revised by the City Auditor August 19, 2019.