



Commissioner Chloe Eudaly  
City of Portland

## **Office of Community & Civic Life Code Change FAQ**

### **1. Why do we need to change the code?**

**ANSWER: IT'S OVERDUE.**

The current code is outdated and does not reflect Civic Life's current programs, responsibilities, and constituencies. For many years (including in the 2008 Community Connect Report and the 2016 audit of the then-named "Office of Neighborhood Involvement") neighborhood leaders, city staff, and community partners acknowledged the need to update the current code, which does not address how civic engagement continues to evolve in our city.

### **2. Wait, what is city code?**

**ANSWER: IT'S LEGAL.**

City Codes are the governing laws written in the City Charter. City Code is changed by ordinance passed by the City Council. The purpose of code is to set a strategic direction which can be implemented through administrative rules and policy documents, program design, budgets, and contractual agreements. This code change addresses Chapter 3.96, which defines the functions and responsibilities of the Office of Community & Civic Life.

### **3. Will this proposed code change dismantle the neighborhood association system?**

**ANSWER: NO.**

Neighborhood associations are and will continue to be valued partners of Civic Life and the City. These proposed changes are about adding voices to our civic landscape and encouraging collaboration within and across issues, identities, and place. For this reason, Civic Life will continue to serve neighborhood-based groups, which absolutely includes neighborhood associations, as well as other place-based advocacy groups.

**This code change is about addition and multiplication, not subtraction and division.**

#### **4. Why is who we name in code and how we name them so important?**

**ANSWER: IT'S SIMPLE.**

Currently, Chapter 3.96 only names three types of groups for “recognition” and “acknowledgment.” When communities are not named in code, policy, or law—or when only some groups are named—there have been devastating impacts for being represented, served, resourced, and valued in this country.

The City of Portland has a moral and legal obligation to remedy this by updating Chapter 3.96. In 2019, government must recognize all groups and communities in the ways they identify themselves and ask to be acknowledged by their government.

#### **5. Will this defund neighborhood associations and neighborhood coalitions?**

**ANSWER: NO.**

City codes are not funding documents. Further, neighborhood coalition offices were fully funded in the 2019-2020 budget and Civic Life will continue to invest in place-based capacity building work.

#### **6. Will Neighborhood Associations continue to access insurance coverage through Neighborhood Coalitions?**

**ANSWER: YES.**

#### **7. Will Neighborhood Coalitions and Associations continue to be recognized for the purposes of notification by city bureaus for permitting, land use, planning, zoning, etc.?**

**ANSWER: YES.**

Section 3.96.060 in the proposed language ensures that neighborhood associations will continue to receive all benefits currently provided by other city bureaus. It states:

“For the purposes of recognizing organizations as identified in other sections of city code, the Director must adopt a list of recognized organizations by administrative rule, including but not limited to neighborhood associations, district coalitions and diverse and civic leadership partners existing on the effective date of this code chapter. The Director may adopt administrative rules that establish a process and criteria for managing this list. If the Director does not adopt such rules, amendments on the list are subject to City Council approval.”

#### **8. What will the code change do?**

**ANSWER: A TON OF TERRIFIC THINGS!**

The proposed code will:

- Name “**all Portlanders**” as the constituency for Civic Life. The Office will equally recognize the many ways groups organize including by affinity, community, identity, issue, and neighborhood.
- Direct Civic Life to administer all programs and policies as assigned by City Council.

- Acknowledge the origins of our democracy and hold Civic Life accountable for ensuring equitable outcomes through its programs, investments, partnerships, and priorities.
- Preserve existing benefits held by neighborhood associations and commit to informing citywide efforts to expand benefits to other community members.

**9. How was the community engaged in this code change process and what communications took place?**

**ANSWER: IN MULTIPLE WAYS.**

- Ongoing Civic Life Updates. Civic Life Updates are released every two weeks and have featured many stories about the process. The listserv that receives these updates is comprised of our current program partners, which includes neighborhood associations and district coalition offices.
- A survey on concepts and priorities was conducted from November 2018 to February of 2019.
- Partnership with David Douglas and Parkrose High Schools for a youth multimedia project documenting the process.
- Visits to 15 existing gatherings of various community groups to reach new audiences.
- Five multilingual gatherings held in February 2019, including one in English which was well attended by neighborhood association members.
- A second survey to gather feedback on proposed language in May of 2019.
- A Community Convening in April 2019 to present emerging concepts and connect those we'd engaged throughout the process.
- "What the Code Change Means for Neighborhoods" event hosted by NE Coalition of Neighborhoods in June 2019.
- Neighborhood association meetings by request.

**10. What are open and public meeting laws? Why are these laws for neighborhood associations changing? Don't we need accountability?**

**ANSWER: IT'S COMPLICATED.**

If a group wants to keep open meeting laws for their organization, they are free to do so. However, public meeting laws are not intended for volunteer-led groups. Public meeting laws are for any meeting conducted by a state, regional or local governing body to decide on or consider any matter. Neighborhood associations are by definition volunteer-led groups. State, county, and city attorneys have clearly stated that public meeting laws do not apply to neighborhood associations as they not acting as a public body or subgroup of a local governing body.

**So why has the bureau required that neighborhood associations and coalitions comply with these laws *as a matter of policy*?**

Proponents say it is to ensure accountability and transparency. The results have been mixed. There are well-functioning neighborhood associations that do not perfectly adhere to all the requirements currently spelled out in code. There are also many examples of how open meeting requirements and the grievance process used to address violations have been weaponized and used to tear neighbors apart. Civic Life wants to keep neighbors together.

Other community and volunteer groups have developed their own community/culturally relevant practices for ensuring accessibility, transparency, and accountability to the communities they serve. Community and other volunteer groups reject the imposition of government rules that make it

harder for their members and organizations to participate as a condition of receiving the bureau's support of their community and civic engagement.

Additionally, the bureau has no mechanism for enforcing these rules. The stated consequence of intentionally or unintentionally violating these rules is "de-recognition" which leads to loss of access to information and other government services. This is legally questionable and unconscionable when these laws were never intended for volunteer groups. To our knowledge the bureau has never "un-recognized" a neighborhood association.

Portlanders do not believe that it is a good use of city employee's time and resources to track the activity of voluntary neighborhood leaders knowing that there is no real enforcement mechanism. There is also no ethically or legally defensible rationale for applying this standard only to neighborhood associations and neighborhood coalitions.

**So, what are the mechanisms for transparency and accountability?**

When there is an exchange of funds (for example, a grant award or other awarded proposal) Civic Life and the recipient organization enter into a contract that includes but is not limited to guidelines, deliverables, intended outcomes, reporting requirements, and other metrics. This is already the case with our funded partners.

When the relationship is one of learning, sharing, and working together on shared goals, the accountability for building inclusive systems rests with government. Chapter 3.96 defines the functions of the bureau, not the functions of community groups. This updated code will direct the Office of Community & Civic Life to support communities through policies and programs that build connections with all Portlanders.

**11. With what we know about the barriers to participation in city processes, shouldn't government be lowering or eliminating barriers to participation?**

**ANSWER: YES.**

Government should lower barriers to participation. Many neighborhood leaders over many decades have reported that this high bar has resulted in the unintended consequence of reducing participation in neighborhood associations and has caused harm to individuals, relationships, and neighbors coming together for the common good.