



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Sean Brady, City Attorney
DATE: April 13, 2020

SUBJECT:

Consideration of Ordinance No. 1433-20, an Ordinance Relating to Public Meetings; and Amending Tualatin Municipal Code Chapter 1-04.

RECOMMENDATION:

Staff recommends Council adopt Ordinance No. 1433-20.

EXECUTIVE SUMMARY:

Ordinance No. 1433-20 relating to Public Meetings is before the Council for third reading and consideration for final adoption.

Under Charter Section 35, before an ordinance can be enacted, it must be read at two separate Council meetings. However, an ordinance can be enacted at a single Council meeting if the vote to adopt the ordinance receives the unanimous vote of all Council members present.

On March 23, 2020, the Council conducted first and second reading of Ordinance No. 1433-20. The vote to adopt the Ordinance received a majority of six in favor and one against, but was not unanimous. As a result, the Ordinance must return for a third reading, and consideration for final adoption.

Ordinance No. 1433-20 proposes to delete the Special Meetings section in TMC 1-4, as well as the definitions section, to harmonize TMC 1-4 with Oregon's Public Meetings law. Adopting the Ordinance would result in Tualatin being able to call any Special Meeting with a minimum of 24 hours advance notice, as well as to hold Special Emergency Meetings with less than 24 hours advance notice if an actual emergency is present.

The Ordinance also contains an emergency clause making the Ordinance effective immediately upon adoption. Under Council Rule 5(E)(4), the Ordinance must receive the unanimous vote of all Councilors present to be effective immediately. If the Ordinance does not receive unanimous approval, then the Ordinance will not go into effect immediately and will be effective 30 days from the date of adoption.

A corresponding resolution, Resolution No. 5486-20, is also being proposed to amend Council Rule 2(B)(3) and 2(C)(3) to delete the term "48 hours" and replace with the term "24 hours."

OUTCOMES OF DECISION:

Passing the Ordinance harmonizes the City's code with Oregon's Public Meetings law.

Not passing the Ordinance maintains the current 48 hour advance notice requirement for Special Public Meetings, including Emergency Meetings.

ALTERNATIVES TO RECOMMENDATION:

FINANCIAL IMPLICATIONS:

None.

ATTACHMENTS:

Ordinance No. 1433-20