



League of Women Voters® of Portland, Oregon

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Date: August 29, 2025
To: Portland City Council
CC: City Attorney Robert Taylor
From: LWVPDX City Government Transition Interest Group
Wynne Furth, Interest Group Leader
Re: **Private Conversations During Public Meetings**

The League of Women Voters of Portland believes that a thriving city requires a government that is accountable and transparent. We were heartened that bringing accountability and transparency to our government were among the primary goals of Portland charter reform.

We, and many others, watch your public meetings to understand your thought processes, the pressures and opportunities you face, your collaborations, and your decisions.

We were concerned to learn from the reporting in the Willamette Week (on August 6 and 9) that we were not, in fact, able to hear all of the Council deliberations at budget sessions. In addition to the public discussion that we could all hear, inaudible side conversations were taking place via text messaging among the councilors on the dais. This is not the transparency that we aspire to for our city, and that the public expects.

The Council's budget sessions were public meetings. The public has the right to attend public meetings, but if the public can't hear all your deliberations, your meeting is not, in fact, public. It does not matter whether the side conversations involve two councilors passing handwritten notes, or four using gestures under the table, or twelve texting. The injury comes from the inaudibility of your deliberations.

We want and expect our new city council and government to succeed. It is early days yet in the implementation of a major reform in the way we choose our elected officials, the way they represent us, and the way they govern. We all know that missteps happen. But in the

spirit of what we have all undertaken, we also expect that when problems do occur, the Council itself will take action to correct them.¹

The policies you set now, and the culture you create, will shape the City for years to come. We urge the Council to promptly consider adopting a policy that prohibits private communications on public business during public meetings, regardless of the number of councilors involved. It is an important step to build trust and a culture that upholds transparency.²

¹ We know that the Oregon Government Ethics Commission and the Oregon League of Cities, among others, believe that changes are needed either in the statute or regulations governing non-face-to-face serial meetings. But those laws are about figuring out when a council meeting is taking place and must therefore be public. A different issue is involved here: the right of the public to hear public meetings.

² The Oregon Department of Justice, citing its own 1988 Letter of Advice, notes on page 120 of the Attorney General's Public Records and Meetings Manual observes: "We have acknowledged that strict compliance with the substantive requirements of the Public Meetings Law frequently may 'sacrifice speed and spontaneity for more process and formality.' Nonetheless, we believe that the law's requirements generally will not interfere with a public body's administration."