

RESOLUTION NO. 4159

A RESOLUTION ESTABLISHING A CITY COUNCIL POLICY WITH REGARD TO ELECTRONIC MAIL COMMUNICATION BY AND BETWEEN CITY COUNCILORS IN CONNECTION WITH CITY BUSINESS.

WHEREAS, Electronic mail (E-mail) is a relatively new and continually expanding form of communication which has been and is being used, to varying degrees, by City Councilors in connection with City business; and

WHEREAS, the City Council desires to establish policy guidelines to aid current and future City Councilors in maximizing their communication opportunities without an unintended increase in staff's workload; and

WHEREAS, these guidelines are intended to provide uniformity concerning Council and staff expectations.

NOW, THEREFORE, BE IT RESOLVED that the following policy is adopted, effective immediately:

Purpose: To define the use and retention of electronic mail between the Mayor, City Council members, and City staff.

Definitions:

- E-mail – Electronic mail (E-mail) is any memorandum, letter, note, report, or communication among individuals and groups that is stored and/or transmitted in a format that requires an electronic device to capture and access it. E-mail often refers to a package of services designed to automate office communications where users “send” or receive information.
- Mayor and City Council – The Mayor and City Council elected to serve the community during the current term of office.
- PC – Personal Computers (PCs) are used to access electronic files, including E-mail.

Policy:

- All E-mail use by the Mayor and Councilors will comply with the requirements of the Oregon Public Records Law and Oregon Revised Statutes 192.410 through 192.505.
- All persons have the right to inspect E-mail correspondence created by or sent to local elected officials.
- E-mail may be used to, for example, schedule meetings, send informative messages, or request information of the Mayor, other City Councilors, the City Manager, Public Information Officer, and Department Heads.
- E-mail may not be used to discuss policy issues with a majority of the Council and the Mayor or two or more members of a standing committee on an item coming before it for discussion or to make decisions or to carry on deliberations.
- All E-mail to and between City Councilors and staff, or with the Mayor or a City Councilor as a sender or recipient, will be copied to the City's Public Information Officer.
- The Public Information Officer will copy the E-mail to the City Manager and to other Councilors with E-mail service, if the sender has not already done so.
- In addition, the Public Information Officer will make hard copies of the E-mail for distribution to Councilors who do not have E-mail service.

Guidelines for Use

- Communications and files on the E-mail system will be considered public records that are available for inspection by the press and the public.
- E-mail may be sent to the Mayor and/or one or more Councilors at the same time.
- Communications from the Mayor and/or Councilors to City staff will be directed to the City Manager, Assistant City Manager, Public Information Officer, or Department Heads.
- It is not appropriate for the Mayor and/or Councilors to request by E-mail information or research that will take more than an hour of staff time unless a majority of the Council concurs. Such requests should be made during regular Council meetings.

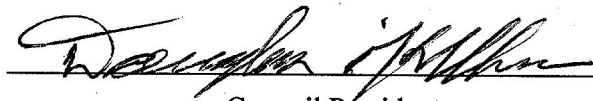
Procedures

- The Public Information Officer will keep an electronic file of E-mail to/from the Mayor and/or Council and will make hard copies or copies on disc available for public inspection on request.
- The Mayor and Councilors will print messages they receive or send, which could be part of the public record, and deliver the hard copy to the Public Information Officer. An example would be comments from a constituent on a land-use issue before the Council.
- E-mail communications by, between, and/or to the Mayor and Councilors will not address substantive policy issues, decisions, or deliberations.
- The Mayor and Councilors who receive E-mail from constituents regarding land-use or other quasi-judicial issues should inform the sender that a copy of the E-mail will be entered into the public record and, if necessary, that they are unable to discuss such matters outside of the public hearing.

Equipment

- The Mayor and Council members may use their own personal computers for access to the Internet and E-mail or may choose not to use E-mail as a form of communication.

DATED THIS 11TH DAY OF AUGUST 1999.



Council President

ATTEST:



~~City Clerk~~
Assistant City Manager