

EXHIBIT A**5.10.010 Definitions.****A. 'Charitable Organization' means:**

1. An entity organized and operated exclusively for tax-exempt purposes under Section 501(c)(3) of the Internal Revenue Code and registered as a charitable organization with the Oregon Attorney General as required by ORS 128.610 to 128.995; or, an entity that is a State or City created nonprofit that receives donations which may be deducted from taxable income as "charitable contributions" under Section 170(a) and (c) of the Internal Revenue Code;
2. Charitable services must relate to the promotion of: public health, safety, and welfare; public education and literacy; environmental and natural resource protection, restoration, and conservation; prevention of cruelty to animals or children; civil or human rights; elimination of prejudice and discrimination; public arts and culture; relief of human suffering and poverty; public recreation; or providing community and civic improvement; and,
3. Must be directed by a board of directors or a governing body whose members serve without compensation and have no financial conflict of interest.

B. 'Umbrella Organization' means a Charitable Organization serving as an agent to at least nine member Charitable Organizations to which it disburses funds and has received authorization from these member Charitable Organizations to represent them in the annual Charitable Campaign, or any other Charitable Organization so designated by the City Council through a City ordinance.**C. 'City-Partnered Nonprofit' means a Charitable Organization that:**

1. Has the principal mission of providing financial support to a City Bureau or a City program;
2. Engages in advocacy that benefits a City Bureau's operational goals or missions; or
3. Has a recognized partnership with a City Bureau and that Bureau's historic civic mission to benefit the Portland community.

The Commissioner in Charge of a Bureau, or designee [or Bureau Director in consultation with the Commissioner in Charge for the Bureau] will administratively determine whether a Charitable Organization meets the definition of "City-Partnered Nonprofit". If determined to be a "City-Partnered Nonprofit", the Charitable Organization may apply for participate in an annual Charitable Campaign without being an "Umbrella Organization".

5.10.020 Charitable Campaign.

The purpose of the Charitable Campaign is to encourage and support voluntary charitable contributions by employees, by providing a consolidated opportunity for workplace giving through the ease of payroll deductions benefiting a wide range of Charitable Organizations. The campaign minimizes workplace disruption and reduces the administrative costs to the City and Charitable Organizations in charitable solicitation efforts. Except as provided by City ordinance, only Umbrella Organizations and City-Partnered Nonprofits may participate in the annual Charitable Campaign.

Except as otherwise permitted by City ordinance, no charitable solicitation of employees on City property or places of employment may occur without prior written approval of the Chief Administrative Officer (CAO) of the Office of Management and Finance (OMF) or CAO's designee.

Participation in the Charitable Campaign shall not be construed as endorsement, support or advocacy of the beliefs or viewpoints of the participating Charitable Organizations.

5.10.030 Charitable Campaign Advisory Committee.

The Charitable Campaign Advisory Committee ("the Committee") will consist of five members, each of whom will be a City employee serving without additional salary or compensation. Each City Council member shall appoint one of the five Committee members and any replacement members. The Committee shall report to the CAO, provide advice as needed and perform Charitable Campaign program tasks as may be assigned by the CAO, including but not limited to: developing and reviewing application forms for participation in each year's Charitable Campaign; identifying Umbrella Organizations or Charitable Organizations for invitation to participate in the Charitable Campaign; and, developing the annual Charitable Campaign marketing plan.

5.10.040 Eligibility for Participation in Charitable Campaign.

- A. In addition to a timely completed application to the Committee, each Umbrella Organization or City-Partnered Nonprofit seeking eligibility to participate must provide the following information for itself and the Umbrella Charity's member Charitable Organizations:
1. Documentation of Charitable Organization status and valid registration with the State of Oregon.
 2. Equal opportunity and nondiscrimination policy pertaining to:
 - a. Delivery of charitable services;
 - b. Employment opportunities, actions and benefits; and,
 - c. Membership on the organization's governing board; relating to race, color, religion, sex, age, disability, familial status, sexual orientation, national origin and other legally protected characteristics or status. The policy must certify that the Umbrella Organization and its member Charitable Organizations or City-Partnered Nonprofit have procedures and practices regarding equal opportunity and nondiscrimination that comply with federal, state and local laws including Portland City Code Title 23.
 3. Statement of the charitable work performed, describing solicitation activities, operational history, and the geographic region or location where the work is done. The Umbrella Organization and each of its Charitable Organizations or City-Partnered Nonprofit must have at least one year of operational history.
 4. Copies of the most recent financial report or statement certified by an independent public accountant, including the source and use of charitable contributions and fundraising activities, Form 990 filed with the Internal Revenue Services for the most recent fiscal year, and certification that each entity accounts for funds in accordance with generally accepted accounting principles. Computation of the percentage of total support and revenue spent on fundraising and administrative expenses must not exceed 25 percent of its unrestricted income. Contributions by City employees shall not constitute restricted income and must be used for the Charitable Organization's mission purpose.
 5. Adopted budget for the current fiscal year.
 6. Current articles of incorporation and by-laws, or other governing instruments.
 7. Certification of compliance with provisions of this Code and all applicable laws.
- B. The CAO or CAO's designee will make the final eligibility determination for each annual Charitable Campaign and will prepare an ordinance for City Council authorizing campaign participants for each year.

5.10.050 Administration of Charitable Campaign.

OMF has administrative responsibility for the Charitable Campaign and will provide administrative support to the Committee. City administrative costs associated with each annual Charitable Campaign will be paid by the participating Umbrella Organizations and City-Partnered Nonprofits in proportion to the total contributions received in the Charitable Campaign. OMF will provide each Umbrella Organization and City-Partnered Nonprofit with information on the total number of employees who pledged contributions and the total dollar amount of pledged contributions. The City will not be liable for any uncollectible pledges. Pledged contributions will be deducted as

voluntary payroll deductions of the participating employees. Umbrella Organizations and City-Partnered Nonprofits are responsible for allocating funds to the applicable Charitable Organizations identified in employee pledges and providing written acknowledgement for donors to meet the requirements of the Internal Revenue Code. The CAO or CAO's designee is authorized to formulate, approve and issue policies, administrative rules, and supplemental regulations related to the management and administration of the Charitable Campaign.