

**EXHIBIT A**

1. Amend Subsection 3.15.020 B.4

**B.** The Bureau of Internal Business Services Director shall be authorized to:

4. Coordinate advance payments for building rentals. In cases where building space has been or shall be rented by the City on lease or on a month-to-month basis and the owner requires advance payment of rentals or a security deposit, the Auditor Accounting Division hereby is authorized to audit and allow such advance payment of rentals or security deposit, provided that advance payments of rentals shall be for a period of not to exceed 31 days.

2. Amend Section 3.78.010

**3.78.010 Authorization for Payment.**

(Amended by Ordinance No. 173369, effective May 12, 1999.) In all cases, past, present or future, in which an ordinance provides for the acquisition of park property from Multnomah County and where Multnomah County does not furnish an abstract or title insurance, the City Auditor Accounting Division is hereby authorized to draw and deliver a check in favor of Multnomah County for the amount to be paid for the deed from the county unless such ordinance indicates specifically a purpose to disregard this Chapter and thereupon the Auditor Accounting Division shall submit the matter to the City Attorney.

3. Amend Section 3.84.050

**3.84.050 Billing of Charges.**

No request for billing of charges for repair of motor vehicles damaged as defined in this Chapter shall be forwarded to the City Auditor Office of Management and Finance as in Section 5.48.040 provided, until the validity thereof based upon determination of liability shall have first been approved by the City Attorney.

4. Amend Section 5.04.020

**5.04.020 Sundry Trusts Fund.**

(Amended by Ordinance No. 173369, effective May 12, 1999.) The Sundry Trusts Fund, created by Ordinance No. 118746, passed by the Council July 1, 1964, shall contain accounts for trust monies which neither belong in the Trustees' Fund nor require an individual trust fund. The following accounts are authorized for the Sundry Trusts Fund:

- A.** Animals for zoo account. (Repealed by Ordinance No. 150375, effective September 11, 1980.)
- B.** Civic Emergency Account. This account shall receive the City's share of the

annual allocation from the Civic Emergency Fund under ORS 463.170. Expenditures shall be limited to athletic, recreational, educational, or charitable purposes. The Accounting Division on behalf of the Mayor and the Auditor ~~are~~is authorized to draw on this account when requisitions are presented approved by the Mayor, and one other Commissioner;

- C. Elephant Purchase Account. (Repealed by Ordinance No. 150375, effective September 11, 1980.)
- D. Health Protection Account. (Repealed by Ordinance No. 150375, effective September 11, 1980.)
- E. Recreation Account. (Repealed by Ordinance No. 150375, effective September 11, 1980.)
- F. Rose Test Garden Account. This account shall be administered in accordance with Ordinance No. 110776; passed by the Council September 23, 1959. The Accounting Division on behalf of the Mayor and the Auditor ~~are~~is authorized to draw checks on this account when requisitions are presented approved by the Commissioner In Charge of the Bureau of Parks;
- G. Oaks Pioneer Park Museum Account. This account shall be administered in accordance as hereinafter provided:

All monies received from charges arising out of the operation of Oaks Pioneer Park Museum, under contract or otherwise, shall be deposited with the City Treasurer ~~of the City~~. The City Treasurer shall hold all such funds so received in the Oaks Pioneer Park Museum Account. Disbursements shall be made in accordance with budgetary procedures upon requisition approved by the Commissioner In Charge of the Bureau of Parks and shall be limited to maintenance, operational costs, and improvement of the Oaks Pioneer Park Museum. The Accounting Division on behalf of the Mayor and Auditor ~~are~~is authorized to draw warrants on this account when requisitions are presented and approved by the Commissioner In Charge of the Bureau of Parks.

[Subsections H. – L. are unchanged.]

## 5. Amend Section 5.08.020

### **5.08.020 Preparation and Certification of Biweekly Time Reports.**

(Amended by Ordinance Nos. 132896, 136888, 147197 and 180917; effective May 26, 2007.)

- A. It shall be the duty of the head of each appropriation unit to cause to be prepared, to approve, and to certify biweekly time reports for employees whose time deviates

from standard biweekly hours and standard cost centers or when an employee is not to be paid, and cause the same to be transmitted to Central Payroll.

Biweekly time reports are not necessary for employees who worked their standard hours and whose time gets charged to the standard cost center. A payroll warrant will be automatically written for active employees whose standard time gets charged to their standard cost centers. However, each bureau manager shall submit a certification to the Accounting Division to the effect that all employees who will be paid and for whom no time report is submitted, did in fact, render the services to be paid.

- B. Such biweekly time reports shall contain a statement of each applicable employee of the hours on duty, including overtime which has been approved by the Commissioner In Charge, or the Auditor as to ~~his department~~ the Auditor's Office; and the hours of duty, including vacation, holidays, sick leave, compensatory time off; and other leaves of absence with pay. A notation shall also be made of the number of days absent because of injury in the line of duty. A notation shall also be made of sick leave used or disability or pension benefits paid as a result of an injury by a third party.
- C. In addition to the above, the biweekly time reports covering a member of Portland Fire & Rescue assigned to a 56-hour week shall carry a notation as to the number of regular duty hours worked in excess of the average of 112 hours biweekly. Such excess hours shall be accumulated and credited to those normal work periods that do not provide for an average biweekly accumulation of 112 hours.
- D. The biweekly time reports shall be transmitted ~~to the Auditor~~ not later than the Friday following each pay period; provided, if the Thursday or Friday is a holiday, an additional day shall be allowed.
- E. In the event of error or omission requiring payroll adjustment as a result of any provision of a labor agreement such as failure to notify an employee of a change of shift schedule, assignment to duty of an employee not entitled to such assignment under contractual requirements, or other error or omission which can appropriately be adjusted by an adjustment on the biweekly time report, the biweekly time report shall carry a notation concerning the error or omission which is the basis of such adjustment.

## 6. Amend Section 5.08.040

### **5.08.040 When Auditor Bureau of Human Resources to Draw Checks.**

(Amended by Ordinance Nos. 136887, 160146 and 173369 effective May 12, 1999.) When the biweekly time report shall have been approved by the head of the appropriation unit as being correct and by the Personnel Director that the employees were employed according to law, then the ~~Auditor~~ Bureau of Human Resources shall prepare the payroll records and draw and deliver checks not later than the second Friday following the end of each pay

period or at such time as required by applicable federal or state law in accordance with Chapter 5.08.120 of the City Code in payment of salaries of officers and employees for payroll so certified; provided, that where such Friday is a holiday, checks shall be delivered the day previous.

7. Amend Section 5.08.105

**5.08.105 Reimbursement to ~~e~~ Employees in Educational Programs Authorized by the Council.**

(Added by Ordinance No. 133632, effective November 10, 1971.) Whenever the Council has authorized an off-duty educational program for employees on an individual basis to improve professional skills and has provided for reimbursing the employee for specific expenditures upon ~~his~~ the employee's successful completion of a course in accordance with the requirements for the program, reimbursement will be made upon requisition to the ~~City Auditor~~ Accounting Division approved by the City Personnel Officer. For employees on a General Fund payroll, the reimbursement shall be charged to the General Fund. Reimbursement for an employee on a special fund payroll shall be charged to that special fund.

8. Amend Section 5.08.120

**5.08.120 Payment of Salaries and Wages at Other Than Times Specified.**

Whenever it becomes necessary to pay for labor or overtime at other than the specified times indicated by this Chapter, time reports shall be certified as soon as may be required and transmitted to the ~~Auditor~~ Bureau of Human Resources for payment.

9. Amend Section 5.08.160

**5.08.160 Delivery of Checks payable to Deceased Persons.**

(Amended by Ordinance Nos. 133986 and 173369, effective May 12, 1999.) Delivery of checks payable to any person employed by the City, or payable to any person receiving disability or retirement benefits from the City, shall be made in the following manner upon the death of such person:

- A. Where the person's estate is admitted to probate in any county in Oregon, delivery shall be made to the representative thereof after the ~~Auditor~~ Bureau of Human Resources has been furnished a certified copy of letters testamentary or letters of administration;
- B. Where the person's estate is admitted to probate outside this state, delivery shall be made as provided in Subdivision A of this Section, except that the ~~Auditor~~ Bureau of Human Resources shall first notify the Department of Revenue of the total amount to be paid. Delivery of checks shall not be made less than 30 days after notice to the department of revenue and 90 days after death;
- C. Where the person's estate is not probated, and the heir or next of kin making

claim for checks is a resident of Oregon, delivery shall be made to that heir or next of kin after that individual has furnished the ~~Auditor~~ Bureau of Human Resources a hold harmless agreement as provided in Section 5.08.170;

D. Where the person’s estate is not probated, and the heir or next of kin making claim for checks is not a resident of Oregon, delivery shall be made to that heir or next of kin after that individual has furnished the ~~Auditor~~ Bureau of Human Resources a hold harmless agreement as provided in Section 5.08.170, and if the amounts total more than \$200, a bond, underwritten by a surety authorized to do business in this State, to defend and indemnify the City, its officers, agents and employees against any claim, suit, action or judgment arising out of the delivery or payment of the checks;

E. Checks payable to deceased employees, or to persons entitled to disability or retirement benefits prior to their death, shall be drawn in the usual course of business only, and shall be delivered by the ~~Auditor~~ Bureau of Human Resources as provided by this Section, without further action of Council;

F. The ~~Auditor~~ Bureau of Human Resources shall attach to each check issued under this Section an authorization for transfer in the following form:

**AUTHORIZATION FOR CHECK TRANSFER**

KNOW ALL ~~MEN~~ PEOPLE BY THESE PRESENTS

That . . . . . (name of applicant) has applied for transfer of Check No. . . . . dated . . . . . ~~19~~ 20 . . . , payable to . . . . . (name of payee), deceased, as . . . . . (Heir, next of kin, executor or administrator of the estate), that pursuant to Title 5 of the Code of the City of Portland, as amended, I am authorized to deliver said check to . . . . . (name of applicant) and the Treasurer of the City of Portland is directed to cash the same upon. . . . . endorsement thereof.

**PLEASE DO NOT DETACH**

.....

~~Auditor~~ Chief Human Resources Officer of the City of Portland

By

Deputy

The ~~Auditor~~ Bureau of Human Resources shall furnish the City Treasurer a copy of all authorizations for transfers ~~he~~ is issued, and the City Treasurer shall honor all checks described in the authorizations for transfer when endorsed by the applicant named therein.

10. Amend Section 5.08.170

**5.08.170 Hold Harmless Agreements.**

(Amended by Ordinance No. 173369, effective May 12, 1999.) Hold harmless agreements required by subdivisions C and D of Section-5.08.160 shall be in the following form:

**HOLD HARMLESS AGREEMENT**

**WHEREAS** there was due and owing by the City of Portland, Oregon, to . . . . .  
. . . . . who died . . . . ., ~~19~~20 . . . . , the sum of \$ . . . .  
. . . . .representing . . . . .  
. . . . . and the ~~Auditor~~Bureau of Human Resources of the City of Portland holds said sum in the form of checks drawn payable to the said deceased; and

**WHEREAS** there will be no probate of the decedent’s estate and I, as . . . . .  
. . . . . (heir, next of kin) of the deceased, have applied to the ~~Auditor~~Bureau of Human Resources of the City of Portland for delivery of these checks according to the provisions of Title 5 of the Portland ~~Municipal~~City Code, as amended, whereby the ~~Auditor~~Bureau of Human Resources may deliver these checks to me, as . . . . .  
. . . . ., (heir, next of kin) only upon condition that I first release and discharge the City of Portland, its officers, agents and employees from all liability with respect to delivery of these checks and payment thereof, and agree to defend and indemnify the City of Portland, its officers, agents and employees therefrom;

**NOW, THEREFORE**, in consideration of the payment to me of said sum, I hereby release and discharge the City of Portland, its officers, agents and employees from all liability arising from or consequent upon the payment to me of said sum and I hereby assume and agree to and with said City, its officers, agents and employees that I will defend and indemnify them against any claim, suit, action or judgment in consequence of the delivery of checks for, or payment of, said sum.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal this . . . . .  
day of . . . . ., ~~19~~20 . . . . .(SEAL) . . . . .  
. . . . . Address

**WITNESS:**

. . . . .  
. . . . .

Address

Approved as to form:

. . . . .  
City Attorney

11. Amend Section 5.08.180

**5.08.180 Effect of Death upon Assignments and Levies.**

**A.** The ~~Auditor~~Bureau of Human Resources shall recognize no power of Attorney or assignment of wages, salary, disability or retirement benefits, reimbursement of expenses or contributions, or any other monies owing a person by virtue of past or

present employment with the City, after the death of that person, notwithstanding Section 5.12.030.

- B.** If the ~~Auditor~~ Bureau of Human Resources receives notice of garnishment (except from the ~~State Tax Commission of Oregon Department of Revenue~~) or an order for payment of money into any federal or state court in Oregon, which notice or order applies to wages, salary or other monies due an employee of the City, and the employee is deceased or dies at any time before return is made thereon, the ~~Auditor~~ Bureau of Human Resources shall hold all monies pending further order of court and shall immediately notify the City Attorney of the notice or order and of the employee's death. Upon receipt of this notice the City Attorney shall file a supplemental pleading in the case wherein the garnishment or levy was undertaken, to advise the court of the employee's death and to obtain an order of court as to what disposition should be made of the monies held by the ~~Auditor~~ Bureau of Human Resources. The procedure authorized herein shall be followed notwithstanding Section 5.12.050.
- C.** The ~~Auditor~~ Bureau of Human Resources shall make a return upon any notice of levy issued by the United States Treasury Department and any notice of garnishment issued by the ~~State Tax Commission of Oregon Department of Revenue~~, of wages, salary or other monies due an employee of the City, if the employee is living at the time the notice is served. If the employee is deceased at the time the notice is served, the ~~Auditor~~ Bureau of Human Resources shall:
1. Make payment as provided in Section 5.08.160, advising the recipient thereof, in writing, of the existence of the tax lien; and
  2. Notify the taxing authority, in writing, of the fact and date of the employee's death, the date and amount of the payment, the name and address of the recipient thereof, and the recipient's relationship to the deceased. The procedure authorized herein shall be followed notwithstanding Section 5.12.050.

## 12. Amend Section 5.12.020

### **5.12.020** ~~Auditor~~ Bureau of Human Resources Not to Recognize Assignment.

The ~~Auditor~~ Bureau of Human Resources of the City is hereby directed not to recognize any assignment or attempted assignment of a salary or wage claim against the City, except as provided in Section 5.12.030.

## 13. Amend Section 5.12.030

### **5.12.030** Exceptions.

The provisions of this Chapter are subject to the following exceptions:

- A.** Any officer or employee may, with the approval of ~~his~~ the Commissioner In

Charge, or the Auditor as to employees of the Auditor's Office, assign his-their salary or wages to the Retail Credit Association of Portland, Oregon;

- B. Nothing contained herein shall prohibit a City employee from executing a power of Attorney to Portland Employees' Credit Union, an Oregon corporation, whereby the salary or wages, or any part thereof, of the employee is assigned to the corporation. The ~~Auditor~~ Bureau of Human Resources and the City Treasurer are hereby authorized to recognize all of the powers of Attorney to make on the payrolls any deductions required thereby, and to pay the Portland Employees' Credit Union any sums authorized by the powers of Attorney.
- C. Nothing contained herein shall prohibit a City employee from executing a power of Attorney to the Firemen's Relief Association of the Firemen's Beneficiary Association of Portland, an Oregon corporation, or to the Portland Police Beneficiary Association, an Oregon corporation, whereby the salary or wages, or any part thereof, of the employee is assigned to either of said corporations. The ~~Auditor~~ Bureau of Human Resources and the City Treasurer are hereby authorized to recognize all of the powers of Attorney.

14. Amend Section 5.16.020

**5.16.020 Extraordinary Circumstances Requiring Emergency Checks.**

(Amended by Ordinance Nos. 136544, 169321 and 173369, effective May 12, 1999.)

Should an extraordinary condition arise not otherwise provided for by this Chapter, the Commissioner-In-Charge of the department requesting the issuance of an emergency check, or any person in such department so authorized by the Commissioner-In-Charge in writing filed with the ~~City Auditor~~ Accounting Division, shall present a signed requisition, accompanied by a statement in writing giving ~~his/her~~ the reasons for so doing, which shall be authorization for issuance of an emergency check. The Commissioner-In-Charge, the Mayor and the ~~City Auditor~~ Accounting Division shall approve emergency checks for extraordinary circumstances provided for in this Section.

15. Amend Subsection 5.36.010 D.5.d.

- 5. Donation - Surplus property may be donated to the State of Oregon Surplus Property Program, other public agencies, or to charitable organizations certified under the Internal Revenue Code Section 501(c)(3) as follows:

- d. The Director of the Bureau or Office that owned the surplus property shall complete and retain a donation form for each donation made during the fiscal year and submit all forms to the ~~City Auditor~~ Office of Management & Finance at the end of the fiscal year. The donation form shall contain:

- (1) A description of the surplus property donated; and,



- (2) The name of the recipient of the surplus property; and,
- (3) The originating bureau; and,
- (4) The estimated market value of the surplus property at the time of donation.

16. Amend Section 5.40.010

**5.40.010 Drawing Checks in Payments of Claims.**

(Amended by Ordinance Nos. 139226 and 173369, effective May 12, 1999.) The Accounting Division on behalf of the Mayor and the Auditor shall have the authority to draw checks on City funds upon approved requisition, duly executed contract, or order of the Council when the ~~Auditor~~ Accounting Division has determined that payment is legally due and payable.

17. Amend Section 5.40.020

**5.40.020 Certain Demands to be Submitted to Council.**

(Amended by Ordinance No. 173369, effective May 12, 1999.) All demands for expenses of litigation, damages, relief and other demands of like character, except as hereinafter provided, shall be examined by the ~~Auditor~~ Accounting Division and submitted to the Council ~~by him~~ with any recommendations, explanations or information ~~he~~ the Accounting Division may deem pertinent thereto. When the demands are approved by the Council, checks shall be drawn in payment thereof.

18. Amend Section 5.40.030

**5.40.030 Appropriation to be Charged for All Demands.**

The ~~Auditor~~ Accounting Division hereby is directed to charge all demands for the furnishing of supplies, materials, equipment, etc. to appropriations therefor.

19. Amend Section 5.40.040

**5.40.040 Requisitions Required.**

Before any obligation is incurred under the provisions of this Chapter, except emergency purchases as provided in Section 5.32.030 and except specific payments directed by the Council, a requisition properly signed shall be presented to the ~~Auditor~~ Accounting Division in order that ~~he~~ the Accounting Division may determine that the proposed expenditure is budgeted and that appropriation is available therefor. Each requisition shall state in detail the articles or services to be purchased and appropriation accounts proposed to be charged.

20. Amend Section 5.52.020

**5.52.020 Cancellation of Checks and Issue of in Lieu Checks.**

(Amended by Ordinance No. 173369, effective May 12, 1999.) The Accounting Division on behalf of the Mayor and Auditor shall have the authority to cancel any City check issued for the payment of money and to issue in lieu thereof one or more checks; provided, that in lieu checks shall be drawn against the same fund and shall not exceed in the aggregate the amount of the check cancelled; and provided further, that such in lieu checks shall state on the face thereof the numbers and date of the check in lieu of which they are issued. In the event that a check is claimed to have been lost, stolen, or destroyed the payee or holder shall promptly give notice to the City Treasurer to stop payment and file with the ~~Auditor~~ Accounting Division a request for a new check which shall include a statement of facts concerning the claimed loss, theft or destruction of the check. The Accounting Division on behalf of the Mayor and Auditor shall have the authority to issue a new check in place of the lost check; provided, however, that before delivery of the substitute check, the ~~Auditor~~ Accounting Division shall require from the payee a document relieving the City, its officers and employees from all harm in connection with the drawing and delivery of the substitute check, which document shall be approved as to form by the City Attorney.

21. Amend Section 5.52.040

**5.52.040 When Checks Are to Be Canceled.**

(Amended by Ordinance No. 173369, effective May 12, 1999.) At the close of each fiscal year the ~~Auditor of the City~~ Accounting Division is hereby authorized and directed to cancel all checks the date of which shall be in excess of 6 years prior to the time of such cancellation.

22. Amend Section 5.52.050

**5.52.050 Drawing Checks on Charter Appropriations.**

(Amended by Ordinance No. 173369, effective May 12, 1999.) The Accounting Division on behalf of the Mayor and the Auditor shall draw checks on the appropriations provided for by Section 2-108 and Section 2-105 (a)(14) of the Charter when a memorandum requisition for funds has been submitted to the ~~Auditor~~ Accounting Division, which has been signed personally by the Commissioner of Finance and Administration. The proceeds from the checks shall be held by the Commissioner of Finance and Administration for disbursement.

23. Amend Subsection 5.64.070 A.

**5.64.070 Refunds.**

(Amended by Ordinance No. 173369, effective May 12, 1999.)

A. The Accounting Division on behalf of the Mayor and Auditor ~~are~~ is authorized to

draw checks making refunds for any purpose except as provided in Subsection B below. A check may be drawn when a properly signed memorandum requisition is presented which contains a statement showing the necessity for the refund and the amount thereof, or which is supported by such statement. The statement shall bear the approval of the bureau head responsible for determining the amount of refund, who ~~and he~~ shall initiate the necessary requisition. A refund in any amount may be paid from petty cash if funds are available and if the required statement is submitted.