

**CHAPTER 2.12 - REGULATION OF
LOBBYING ENTITIES**

- a. Section 2.12.020, Definitions, is amended as follows:

[A. – B. No change]

- C. “City director” means the director or individual in charge of the following or its successors: the Bureau of Transportation, the Office of Management and Finance, the Office of Government Relations, the Office of Community & Civic Life, the Bureau of Planning and Sustainability, the Portland Bureau of Emergency Management, the Bureau of Emergency Communications, Portland Fire & Rescue, the Bureau of Police, the Bureau of Parks and Recreation, the Bureau of Environmental Services, the Portland Water Bureau, the Bureau of Development Services, the Portland Housing Bureau, the Bureau of Revenue and Financial Services, the City Budget Office, the Office of Equity and Human Rights, the Bureau of Fire and Police Disability and Retirement, the Bureau of Human Resources, ~~the Bureau of Internal Business Services~~, the Bureau of Technology Services and the Portland Development Commission.

[No Further Changes]

**CHAPTER 3.02 - COUNCIL ORGANIZATION
AND PROCEDURE**

- a. Section 3.02.060, Rules of Conduct at City Council Meetings, Ejection and Exclusion, is amended as follows:

[A. No change]

- B. For purposes of this Section, an ejection is an order made by a Person-in-Charge to immediately leave the meeting, and an exclusion is an order made by the ~~Director of the Bureau of Internal Business Services or designee~~ Chief Administrative Officer of the Office of Management and Finance, the Deputy Chief Administrative Officer of the Office of Management and Finance, or their designees prohibiting a person from entering or remaining at future meetings for a specified period of time.

[C. – E. No change]

- F. ~~The Director of the Bureau of Internal Business Services, or designee~~ Chief Administrative Officer of the Office of Management and Finance, the Deputy Chief Administrative Officer of the Office of Management and Finance, or their designees, shall give written notice of any exclusion issued under this Section, and the person excluded may appeal the exclusion to the Code Hearings Officer in the manner provided under Section 3.18.030.

[No further changes to Chapter 3.02]

CHAPTER 3.15 - OFFICE OF MANAGEMENT AND FINANCE

- 3.15.010 Purpose.
- 3.15.020 Definitions.
- 3.15.030 Organization.
- 3.15.040 Functions.
- 3.15.050 Powers and Duties of the Chief Administrative Officer.
- 3.15.060 Office of the Chief Administrative Officer.
- 3.15.070 Bureau of Revenue and Financial Services.
- 3.15.080 Bureau of Human Resources.
- 3.15.090 Bureau of Technology Services.

3.15.010 Purpose.

The purpose of this Chapter is to describe the organization, functions, duties and responsibilities of the Office of Management and Finance.

3.15.020 Definitions.

- A. "Administrative services" means all those functions that provide products, services and support to City employees and programs that in turn provide direct services to the public. These services include, but are not limited to, the following: administrative support; accounting; debt management; treasury management; payroll; grant administration; license; tax and fee collection; policy and program development; risk management; facilities and property management; fleet management; human resources and personnel services including employee training and education; technology services; printing and distribution; and procurement services.
- B. "Communications systems" includes, but is not limited to, citywide radio, video, data communications, microwave, wireless communications and telephone systems and equipment.
- C. "Data grant agreements" are agreements in which the City will grant the use of pertinent Geographical Information Systems (GIS) data to agencies, organizations or individuals (grantees) for research projects or projects performed under contract with the City. Data grant agreements may include direct cost reimbursements to the City.
- D. "Technology systems" includes, but is not limited to, City authorized computer and telecommunications hardware, software, on premises and cloud computing or web-hosted services and systems that utilize the internet and/or any other communications network.

- E. "Vehicles and equipment" includes, but is not limited to, motorized mowers, bicycles, motorcycles, electric and hybrid vehicles, sedans, vans, SUVs, light-, medium- and heavy-duty trucks, heavy equipment, trailers and other specialized equipment.

3.15.030 Organization.

- A. The Office of Management and Finance shall be under the direction and control of the Chief Administrative Officer (CAO) and shall include such other employees as the Council may provide. The CAO shall be appointed by the Mayor who shall serve as the Commissioner-in-Charge of the Office of Management and Finance, unless the Council directs otherwise. The CAO shall report to the Mayor or the assigned Commissioner-in-Charge but shall serve for the benefit and interest of the entire Council, including providing information and advice to elected officials.
- B. The CAO may appoint a Deputy Chief Administrative Officer (DCAO) to assist the CAO with planning, directing, and communicating the activities and operations of the Office of Management and Finance and all its associated bureaus.
- C. The Office of Management and Finance consists of the Office of the Chief Administrative Officer, the Bureau of Revenue and Financial Services, the Bureau of Human Resources, and the Bureau of Technology Services.

3.15.040 Functions.

The Office of Management and Finance shall provide and coordinate administrative service functions of the City in support of the operational needs of City bureaus and shall perform other duties as assigned. Bureaus shall use the services of the Office of Management and Finance unless otherwise authorized by the CAO or directed by the Council.

3.15.050 Powers and Duties of the Chief Administrative Officer.

The CAO, or designee, is authorized to:

- A. Formulate, approve and issue administrative rules, procedures and systems for providing City administrative services.
- B. Implement and monitor administrative rules and systems for providing administrative services.
- C. Recommend alternatives to the Council for providing administrative services.

- D. Determine if any administrative service should be provided by City staff or outside vendors.
- E. Advise the Council and provide staff support to citywide projects and oversight committees.
- F. Determine the duties and reporting relationships for positions responsible for centralized administrative services, including but not limited to human resources, financial services and technology services.
- G. Provide analysis and recommendations related to City budget proposals to the City Budget Director, Mayor or Commissioner-in-Charge of the Office of Management and Finance, and the Council.
- H. Appear in legal action in Small Claims Court to assert on behalf of or to defend the City in any Small Claims action for recovery or money, damages or specific personal property, in collaboration and consultation with the City Attorney, including asserting counterclaims, cross-claims, or third party claims to undertake action as allowed under ORS Chapter 46 and may issue writs to execute on Small Claims Court judgments.
- I. Manage intellectual properties, including but not limited to the Portland Oregon TM sign; develop, adopt and maintain an Acceptable Use Policy for licensing of intellectual properties; establish appropriate fee schedule for use of intellectual property; execute intellectual property license agreements upon approval to form by the City Attorney; and protect the City's intellectual property rights through enforcement in consultation with the City Attorney.
- J. Enter into nondisclosure agreements between the City and any third party to review proprietary, confidential or privileged information held by the City or the third party, including to but not limited to information pertaining to: real estate and business transactions, banking and financial software systems, information technology systems, applications, software or hardware and trade secrets.
- K. Perform other duties as assigned by the Mayor, the Commissioner-in-Charge of the Office of Management and Finance, or the Council.

3.15.060 Office of the Chief Administrative Officer.

- A. The Office of the Chief Administrative Officer shall be supervised by the CAO, or designee, who shall have the authority to carry out the duties and functions described in this Section.

- B.** The Office of the Chief Administrative Officer shall provide asset management, policy development, communications, specific project management services, budget and financial services and other services or responsibilities the Council or CAO may assign.
- C.** The Office of the Chief Administrative Officer is responsible for the following:
- 1.** Acquire, manage and maintain all City owned or leased vehicles and equipment, except certain identified Portland Fire & Rescue vehicles and equipment.
 - 2.** Execute real property agreements including, but not limited to, easements, permits, licenses and leases, and amendments or renewals of such real property agreements.
 - 3.** Oversee operations, maintenance, management, planning, capital improvement and acquisition for City Property, including but not limited to:
 - a.** Real properties over which the Office of Management and Finance has assigned or delegated responsibilities;
 - b.** Leasehold premises used by the City and managed by the Office of Management and Finance;
 - c.** Real property which the Office of Management and Finance manages under intra-bureau, interagency or intergovernmental agreement(s); and,
 - d.** City owned real property not specifically assigned to another bureau for property management.
 - 4.** Provide facilities management services for real properties under the management of other bureaus upon intra-bureau agreements, including but not limited to:
 - a.** Property management services for the purchase, inventory, sale, replacement and rental of real property;
 - b.** Facilities maintenance services, including but not limited to: maintenance and repair of buildings and their related equipment; and the administration of janitorial, maintenance and security contracts; and,

- c. Professional and technical services, including but not limited to architectural design, engineering, facilities and space planning and project management of capital projects.
5. Enforce Rules of Conduct and City Property Exclusions, in accordance with Chapter 3.18
6. Coordinate cleanup of unauthorized camping at City owned or managed real property and at other governmental properties upon intergovernmental agreement in collaboration with impacted public and private property owners.
7. Provide planning, policy development, project management and implementation and fund management for citywide or intergovernmental programs or initiatives.
8. Provide policy development, planning, communications, specific project management services, administrative support, budget and financial services for all bureaus and divisions in the Office of Management and Finance.
9. 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 City Controller is hereby is authorized to examine 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.
10. Dispose of useable surplus personal property through donation to charitable organizations certified under the Internal Revenue Code Section 501(c)(3), where the property will be individually or in the aggregate less than \$5,000, and execute donation agreements with recipient charitable organizations upon approval to form by the City Attorney.
11. Dispose of surplus property deemed unusable, inoperable or not reasonably repairable, hazardous, or is of insufficient value to warrant transfer, sale, or donation.

3.15.070 Bureau of Revenue and Financial Services.

- A. The Bureau of Revenue and Financial Services provides centralized financial services, revenue and tax collection, business regulation, procurement, financial reporting and compliance, risk management,

pension oversight and other services or responsibilities the Council or the CAO may assign.

- B.** The Bureau of Revenue and Financial Services (BRFS) shall be supervised by a Director, who shall also serve as the Chief Financial Officer (CFO) of the City. The CFO shall report to the CAO but shall serve for the benefit of the entire Council including providing information and advice to elected officials.
- C.** The CFO shall be responsible for the overall financial planning, coordination, management and fiscal sustainability of the City. The CFO, or designee, shall have the authority to:
- 1.** Formulate, approve and issue financial policies, rules and procedures.
 - 2.** Oversee revenue development and collection activities, including but not limited to:
 - a.** Managing all billing and collection software used by the BRFS and other enterprise-wide revenue-collection software systems as applicable.
 - b.** Managing, enforcing, collecting and auditing business taxes, transient lodging taxes, Arts Education and Access Income Tax and other taxes as assigned.
 - c.** Managing, enforcing and auditing regulatory programs assigned by the Council, including the authority to enact administrative rules and regulations.
 - d.** Managing lien assessments, collections and foreclosure.
 - e.** Managing funds as assigned.
 - 3.** Manage cash flow planning and liquidity.
 - 4.** Manage the City's debt program and provide expert advice to City bureaus and officers regarding capital financing and the issuance of debt.
 - 5.** Establish internal control systems to preserve City assets and report accurate financial results.
 - 6.** Enter into nondisclosure agreements between the City and third parties to review confidential information, including trade secrets or

other information designated as proprietary or privileged, related to banking and financial systems, applications, software or hardware, that may be under consideration for use by the City.

7. Manage, administer, and enforce such responsibilities as are assigned to the Office for Community Technology by City Code or the Council.
 8. Perform such other duties as may be required by ordinance or by the Council, or which are necessary to implement the purposes of this Section.
- D. A City Controller, who reports to the CFO, shall have the authority to:
1. Establish, maintain and enforce citywide accounting policies, practices, rules and regulations.
 2. Authorize reports that disclose the fiscal condition of the City to external users including the Comprehensive Annual Financial Report (CAFR), the Popular Annual Financial Report (PAFR), the Single Audit Report and other reports required by federal, state and local regulations.
 3. Interpret accounting and financial reporting policies and practices, including pronouncements of the Governmental Accounting Standards Board (GASB).
 4. Conduct financial and compliance audits and other tests to determine compliance with citywide accounting and financial reporting policies and current professional standards and adequacy of internal controls over accounting transactions, the cost of which shall be paid by the bureau being audited.
 5. Manage and oversee all incoming federal, state and private grants, and outgoing Special Appropriations grants and contracts.
- E. A City Treasurer, who reports to the CFO, shall have all those authorities and responsibilities described in Chapters 3.08 and 5.30. The City Treasurer shall be responsible for providing centralized banking, merchant and investment services to all City bureaus, and ensuring compliance with City policies, industry best practices, and federal and state laws and regulations, including Payment Card Industry Data Security Standards.
- F. A Chief Procurement Officer, who reports to the CFO, shall have all those authorities and responsibilities described in Chapters 5.33, 5.34 and 5.68 and shall manage and oversee all procurement, contractor services,

procurement authority, and policies and rules for procurements, including verification of vendor compliance with City insurance requirements.

- G.** A Risk Manager, who reports to the CFO, shall have the authorities and responsibilities described in Chapter 3.54 and as described:
- 1.** Administer, coordinate and control all activities related to commercial and self-insurance including but not limited to, property and casualty insurance, workers' compensation insurance, liability insurance and the City's right to subrogation on these insurance programs. These activities shall include:
 - a.** Obtaining a public liability insurance policy or providing the necessary funding through a self-insurance program protecting the City, its officer, agents and employees with limits of not less than the maximum statutory limits of liability imposed on municipalities of the State of Oregon.
 - b.** Administering workers' compensation insurance in accordance with the laws for the State of Oregon and on a self-insurance basis.
 - c.** Maintaining records relating to commercial and self-insurance losses or claims filed against the City and executing any claim or proof of loss for damage to City property.
 - 2.** Monitor and coordinate a citywide loss prevention and control program to minimize potential property, liability, fidelity and personnel losses.
 - 3.** Evaluate and approve applications for self-insurance programs in lieu of commercial insurance requirements in any City agreement, including but not limited to contracts and permits.
 - 4.** Act on behalf of the City on all matters related to workers' compensation, including but not limited to the authority to:
 - a.** accept, deny or defer claims;
 - b.** authorize payments of benefits in the amounts required by law relating to claims filed with the City; and,
 - c.** enter into settlements of claims whether it be on a disputed claims disposition agreement or disputed claim settlement basis, subject to the provisions of the City Charter governing settlements.

5. Act on behalf of the City and in the investigation, evaluation and settlement of property damage, general liability, bodily injury, personal injury, employment practices and other claims brought against the City under the Oregon Tort Claims Act and/or under state and federal civil rights laws, including complaints of discrimination filed with the Civil Rights Division of the Oregon Bureau of Labor and Industries, or the Equal Employment Opportunity Commission, subject to the provisions of the City Charter governing settlements. In doing this work, the Risk Manager and designees shall be agents of the City Attorney acting on behalf of the City. Settlement of claims and court actions alleging employment discrimination or violations of employees' civil rights shall be subject to concurrence of the Bureau of Human Resources Director.
6. Make settlements in an amount not exceeding \$5,000, subject to the provisions of the City Charter governing settlements.
7. Investigate and enter into settlements on fair and moral claims governed by Section 1-107 of the City Charter.

3.15.080 Bureau of Human Resources.

- A. The Bureau of Human Resources shall be supervised by a Director who shall report to the CAO. The responsibilities of the Bureau of Human Resources shall include coordination and control of the administrative and technical activities relating to maintenance of a comprehensive human resources system for the City, including labor relations and negotiations, promoting diversity and equity in outreach employment and recruitment services, classification and compensation, training and workforce development, human resources systems, payroll, deferred compensation, and employee benefits and wellness. The Bureau of Human Resources shall be responsible for the health benefit plan administration and funding including the Health Insurance Fund.
- B. The Human Resources Director shall formulate, administer and monitor administrative rules approved by the Council, or the CAO, including provisions for:
 1. Recruitment, examination, certification and appointment on the basis of applicants' knowledge, skills and abilities.
 2. Classification and compensation.
 3. Employee behavior and expectations.

4. Disciplinary guidelines with notice to employees of prohibited practices.
 5. Employee training and development.
- C. In accordance with Oregon law, the Human Resources Director or designee, on behalf of the Council, may enter into agreements with labor organizations, recognizing their exclusive representation of specified classifications within City service.
- D. Dispute Resolution.
1. The Human Resources Director or designee(s) is the official interpreter for the City pertaining to its collective bargaining agreements and any other written compensation and benefits plans and personnel policies established by the Council.
 2. The Commissioner-in-Charge of a bureau shall retain the right to hear individual grievances and or complaints on a case by case basis. In settling such grievances and or complaints, the Commissioner-in-Charge shall do so with the advice and consent of the City Attorney and the Human Resources Director.
 3. If the Commissioner-in-Charge of a bureau does not retain jurisdiction of a grievance and or a complaint within one week of receiving the issues, then the Human Resources Director shall automatically have jurisdiction to settle the issue.
 4. Provision for resolution of disputes is as follows:
 - a. Within 1 day following the filing of a written grievance under a collective bargaining agreement or complaint under other written personnel policy adopted by the Council, the bureau or department recipient of the grievance or complaint shall provide a copy to the Human Resources Director of the written grievance or other complaint document. During the investigation of grievances and complaints, the Human Resources Director or designee(s) shall be an agent of the Office of the City Attorney for purposes of representing the City.
 - b. Where the claim is for wages or other monetary benefit not exceeding \$5,000 per claimant, the supervisor, division manager or bureau director, with the approval of the Commissioner-in-Charge of the bureau and of the Human Resources Director, may accept or adjust the claim in

settlement on behalf of the City, where settlement is deemed prudent and appropriate, provided that:

- (1) The Human Resources Director authorizes the settlement in writing and gives written notice to the payroll division or to the benefits program manager involved to draw and issue a check not exceeding \$5,000 per claim for the settlement expense, charged to the appropriate center code, account number or fund;
 - (2) Payments which are an exception to Section 5.08.020 of the Code, which requires payroll checks to be drawn only for services rendered, shall be made only when the Human Resources Director determines such payment to be in the best interests of the City and the Office of the City Attorney approves. This Section shall be narrowly applied.
 - (3) The Office of the City Attorney reviews and approves the settlement agreement as being not in conflict with State or Federal laws, applicable ordinances and collective bargaining agreements pertaining to conditions of employment.
- c. Where a settlement agreement provides for payment of claims for back wages or other monetary benefit in an amount exceeding \$5,000, the settlement shall not be authorized or enforceable unless approved by the Council by ordinance.
 - d. The Human Resources Director or designee is authorized to investigate complaints and reports of employment discrimination, in accordance with Section 3.15.070 where applicable. During the investigation of complaints and reports, the Human Resources Director or designee shall be an agent of the Office of the City Attorney for purposes of representing the City.
 - e. The Human Resources Director will file a report to the Council 2 weeks after the end of each month with respect to the settlements entered into pursuant to this Section.
- E. The Human Resources Director shall establish objectives for the Bureau of Human Resources and develop a plan for accomplishing these objectives and carrying out the mission of the Bureau of Human Resources.

- F.** The Human Resources Director shall design, manage and administer a comprehensive and competitive Classification Plan and Compensation Plan. The Council, or the Human Resources Director by express delegation by ordinance from the Council, shall fix the salaries, compensation and benefits of all officers, agents and employees of the City. No other bureau director or subordinate employee has the authority to change the salaries, compensation or benefits of any City officer, agent or employee.
- G.** The Human Resources Director and the Benefits Manager shall design, manage and administer a comprehensive, competitive and compliant benefits package, including the Deferred Compensation Program, as approved by the Council, including provisions for:
1. Medical, dental and vision coverage
 2. Dependent Care Assistance Plan
 3. Medical Expense Reimbursement Plan
 4. Life Insurance
 5. Long-Term Disability
 6. Employee Assistance Program; and
 7. Deferred Compensation Program

Such provisions shall include employee participation eligibility and enrollment, claims management, procedures for record keeping and responsibility for all applicable reporting and disclosure requirements.

3.15.090 Bureau of Technology Services.

- A.** The Bureau of Technology Services shall be supervised by the Chief Technology Officer (CTO) of the City, who shall report to the CAO. The Bureau of Technology Services shall manage, establish policies and standards, and provide technical support for all City-owned technology systems, communications systems, and all end user technology support services, including Help Desk and Desktop Support services, and citywide Geographical Information Systems, except those specifically exempted by the CTO. The Bureau of Technology Services shall additionally provide citywide printing and distribution management services.
- B.** The Bureau of Technology Services:

EXHIBIT C

1. Provides citywide technology strategic planning and consulting services, including project scoping, budget preparation and analysis, system planning and procurement, security analysis, resource allocation and project management for technology projects.
 2. Designs, implements and manages all technology hardware and software, including on-premises or hosted system and cyber security measures.
 3. Designs, implements and manages all citywide communications systems and applications, including the Integrated Regional Network (IRNE).
 4. Provides all Internet and Intranet services to City bureaus, offices, boards and commissions and manages the City's official website, including managing and authorizing all City domain name registrations and renewals.
 5. In cooperation with BRFS, reviews and approves the purchase of all technology software, hardware, on premise or hosted systems and professional technology consulting services.
 6. Provides technical expertise and information for City technology projects.
 7. Provides all telephone services to City bureaus; coordinates with telephone vendors; orders new facilities and equipment for city-owned or leased systems; plan telephone systems; and resolve all telephone problems.
 8. Provides rapid, convenient reproduction, distribution and mail services and provide advice and consultation on these services.
 9. Reviews and approves requests for the lease or purchase of office copiers/printers, in compliance with procurement requirements in Chapter 5.33.
 10. Manages the processing of U.S. mail and pickup and delivery of interoffice mail, packages and equipment.
 11. Manages technology systems used to standardize and accomplish the City's business affairs and providing citywide services in, but not limited to, the areas of fiscal services, procurement and human resources services.
- C. The CTO, or designee, shall have specific authority to:

1. Enter into nondisclosure agreements between the City and third parties to review confidential information, including trade secrets and/or information designated as proprietary or privileged, related to systems, applications, software or hardware that may be considered for use by the City.
2. Enter into data grant agreements in consultation with the bureau that is the custodian of record.

**CHAPTER 3.18 - RULES OF CONDUCT FOR
CITY PROPERTY**

- a. Section 3.18.010, Designation of Persons-in-Charge, is amended as follows:
- A.** For purposes of ordering persons to leave City Property, the following are Persons-in-Charge:
1. Any peace officer as defined by Oregon law and any reserve officer of the Portland Police Bureau.
 2. Any person providing security services in any City Property pursuant to any contract with the City, or with any person, firm or corporation managing a City Property on the City's behalf.
 3. Bureau property or facility manager, or designee.
 4. With respect to facility or space assigned to a City bureau or City office, the director or manager of the City bureau or City office, or designee.
 5. ~~Any person specifically designated in writing by the~~ The Chief Administrative Officer or the Deputy Chief Administrative Officer of the Office of Management and Finance, Chief Administrative Officer, or any person they specifically designate in writing ~~or by the Bureau of Internal Business Services Director.~~
 6. Any person with exclusion authority under the Code.
 7. The Mayor, a Commissioner or Auditor, or designee of these elected officials.

[No further changes]