



---

CITY OF  
**PORTLAND, OREGON**

---

PORTLAND HOUSING BUREAU

---

Nick Fish, Commissioner  
Traci Manning, Director  
421 SW 6<sup>th</sup> Avenue, Suite 1100  
Portland OR 97204  
(503) 823-2375  
Fax (503) 823-2387  
[www.portlandonline.com/PHB](http://www.portlandonline.com/PHB)

---

As a local governmental agency subject to Oregon Public Records Law, the Portland Housing Bureau (PHB) has an obligation under Oregon Public Records Law (ORS 192.430) to provide "*proper and reasonable opportunities for inspection and examination*" of records not otherwise exempt from disclosure by law (ORS 192.501/502).

The following policies and procedures describe the **PHB Public Records Policy** and serve to establish efficient, economical and effective controls over the roles and responsibilities, intake process, distribution procedures, required documentation, charging of fees and attorney review requirements for all PHB public records requests.

#### A. Definitions.

1. A "**Public Record**" is defined by Oregon Revised Statutes (ORS 192.005) as, including but not limited to,

*...a document, book, paper, photograph, file, sound recording, or machine readable electronic record regardless of physical form or characteristics, made, received, filed, or recorded in pursuance of law or in connection with the transaction of public business, whether or not confidential or restricted in use.*

2. An "**Official Record**" is any public record created or received by the Bureau that:
  - a) documents and provides evidence of a business transaction; or
  - b) is required to conduct or support business operations; or
  - c) documents compliance with established business processes, policies or procedures; or
  - d) documents decisions made by City Commissions; or
  - e) is required by law; or
  - f) will have some future business, financial, legal, research or archival value to PHB or the public.
3. A "**Transitory Record**" is any public record:
  - a) that has no business use or value; or
  - b) has only immediate or short-term, temporary value; or
  - c) does not otherwise meet the criteria for an Official Record.

#### B. Roles and Responsibilities.

1. PHB Public Information Officer (PIO)
  - a) Central public records request intake and tracking.
    - i. Central intake for all public records requests.
    - ii. Central Tracking for all public records requests. Tracking form shall include: requestor, affiliation, date requested, brief description of records requested, estimated completion data, individual compiling data/records, estimated cost for personnel time and documents/copies, final cost

(invoice amount), payment received date. Tracking form is attached hereto as **Exhibit 1**.

- b) Complete the request form attached hereto as **Exhibit 2**.
  - c) Close coordination with individual compiling data/records to track target completion date and communicate back with requestor on that and estimated cost.
  - d) Communication with Equity, Policy and Communications Director regarding public records requests and completion status.
  - e) Development of response form for requestor, attached hereto as **Exhibit 3**.
  - f) Coordination with Finance & Accounting and the individual compiling data/records to develop invoices with detailed information on personnel and document costs.
2. PHB Equity, Policy and Communications Director
- a) Oversee public records request process.
  - b) Coordinate with PHB PIO on current status of requests.
  - c) Communicate with Commissioner Fish, Executive Team and Management Team on pending public records requests.
3. PHB Managers or Individuals Responding to Public Records Requests
- a) Provide cost and time estimate for public records requests within a couple days of receiving the request from the PHB PIO.
    - i. This should include estimated number of days to complete request, as well as employee time and document production costs (per page).
  - b) Track time spent by employees on public records requests and provide a mid-point cost as requested by the PHB PIO. Public Records Request Timesheet is attached hereto as **Exhibit 4**.
  - c) Track document duplication quantities and number of pages produced.
  - d) Provide frequent communication to PHB PIO about status of public records request, including any departure from original time estimate for fulfilling request.
  - e) Provide detailed final cost of fulfilling public records request to PHB PIO.
    - i. This should include names of employees and hours worked on request, and number of document pages produced/copied to fulfill request.
4. PHB Senior Management Analyst
- a) Provide data quality review and coordination.
5. PHB Finance & Accounting Manager
- a) Provide hourly rates and overhead rate information to Accountant I in order to process invoice.
  - b) Ensure invoice is processed in a timely fashion and communicate back to PHB PIO with final invoice amount.

### **C. Fees Charged.**

1. The city fee schedule is attached hereto as **Exhibit 5**.

2. Standard per-side copy fees include up to 30 minutes of staff time to retrieve the records and all photocopying/scanning. If the request requires additional staff time, research, or attorney review, additional labor fees may be charged.
3. Labor fees are based on the actual cost of the employee performing the work, which includes hourly payroll rate, benefits, and overhead. See City Code Section 5.48.030.
4. If the estimated costs involved in fulfilling the request exceeds \$25, the PHB PIO will advise the requestor of those costs and require requestor approval before beginning work. If the fee estimate exceeds \$100, a 50% deposit may be required to begin work. Full payment of the total amount of costs incurred is required before the public records may be inspected or copies released.
5. The Public Records Law authorizes a public body to establish fees “reasonably calculated” to reimburse the public body for the public body’s actual cost of making public records available.” ORS 192.440(4)(a). The statute also permits a public body to include in its fees “costs for summarizing, compiling or tailoring the public records, either organization or media, to meet the person’s request.”
  - a. ORS 192.440(4)(a). public body has authority to charge a fee in excess of \$25 only if it provides a written cost estimate to the requester and receives confirmation that the requester wants the public body to proceed with responding to request.
  - b. ORS 192.440(4)(c). A public body may require prepayment of estimated charges before taking further action on a request. Of course, the actual charges are less than the prepayment, any overpayment should refunded promptly.
  - c. “Actual cost” may include a charge for the time spent by the public body’s staff in locating the requested records, reviewing the records in order to delete exempt material, supervising a person’s inspection of original documents in order to protect the records, copying records, certifying documents as true copies, or sending records by special methods such express mail.
  - d. “Actual cost” also may include the cost of time spent by public body’s attorney reviewing, redacting and segregating records at public body’s request, although the cost of the attorney’s time spent determining the application of the Public Records Law is not a recoverable cost.
  - e. Public bodies may charge for search time even if they fail to locate records responsive to the request or even if the records located subsequently determined to be exempt from disclosure.

#### **D. City Attorney Review.**

1. Once information is compiled, PIO will send all information to City Attorney to review for exempt materials, keeping Equity, Policy and Communications Director; Executive Team, and Commissioner Fish’s office in the loop.
2. City Attorney will track time spent reviewing for exempt materials.
3. PIO will track time which will be charged via invoice. An example invoice is attached hereto as **Exhibit 6**.



EXHIBIT 2



CITY OF PORTLAND  
UNIFORM PUBLIC RECORDS REQUEST FORM

Date of Request: \_\_\_\_\_

REQUESTOR INFORMATION

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_

E-mail Address: \_\_\_\_\_ Fax: \_\_\_\_\_

Preferred method of contact:  Mail  Phone  E-mail  Fax

REQUEST DETAILS

1. Is this request related to a lawsuit involving the City of Portland? \_\_\_\_\_

If "yes," enter the case name, court docket number, or other identifying information:  
\_\_\_\_\_

2. Is this request related to a tort claims notice involving the City of Portland? \_\_\_\_\_

If "yes," enter the claimant's name and, if known, the incident date:  
\_\_\_\_\_

3. If you answered "yes" to question 1 or question 2, are you making this request on behalf of a party in the lawsuit or tort claim? \_\_\_\_\_

NOTE: If "yes," enter "City Attorney's Office" for question 4 in addition to any other applicable bureaus. This is required by state law (ORS 192.420(2)(a)).

4. Bureau or office, if known (a copy of this form must be submitted to each):  
\_\_\_\_\_

5. A fee reduction or waiver may be possible if the custodian determines that this request is primarily in the public interest. Does this request primarily benefit the general public? Please explain.

**EXHIBIT 2**

6. Does this request pertain to personnel records? \_\_\_\_\_

NOTE: If "yes," please attach a signed release from the employee.

7. How would you prefer to have this request fulfilled?

- I would like to inspect the records.
- I would like electronic copies made and sent to me.
- I would like photocopies made and sent to me.
- I would like photocopies made and held for me to pick up.

**DESCRIPTION OF RECORDS REQUESTED**

Please include the following when describing the materials requested, to the extent known and with as much detail as possible:

- Type of document
- Date
- Author
- Title
- Address of any real property at issue
- Subject matter

NOTE: Additional sheets may be added if necessary.

**Description:**

- The City will respond to your request as soon as practicable and without unreasonable delay.
- If the estimated costs involved in fulfilling your request exceed \$25, the City will advise you of those costs and require your approval before beginning work.
- If the fee estimate exceeds \$100, a 50% deposit may be required to begin work.
- Full payment of the total amount of costs incurred is required before the public records may be inspected or copies released.
- NOTE: Police reports cannot be obtained through the use of this form. For these records, please contact the Police Bureau.

I HAVE READ AND AGREE TO COMPLY WITH THE ABOVE CONDITIONS, and further agree to pay the cost of fulfilling this Public Records Request according to the conditions set forth above. These costs may include the cost of searching for records, reviewing records to redact exempt material, supervising the inspection of records, copying records, certifying records, and mailing records. I agree to pay a maximum of \$25 without further approval.

\_\_\_\_\_  
Signature of Requestor

\_\_\_\_\_  
Date

EXHIBIT 3



CITY OF PORTLAND
UNIFORM RESPONSE TO PUBLIC RECORDS REQUESTS

For Office Use
Response

Date/by:

Requestor Name: Date of Request:

The City of Portland acknowledges receipt of your Public Records Request and responds as follows:

Form containing 9 numbered options for public records requests, including checkboxes for disclosure, exemptions, and fees. Includes sections for 'AGREEMENT TO PAY COST OF PROCEEDING' and signature lines for the requestor.

Vertical sidebar for office use with fields for Research/labor charges, Reproduction charges, Total Amt Rcd, and Date.





## EXHIBIT 5



### City of Portland Standard Fee Schedule for Public Records Requests Fiscal Year 2011-12 (Last updated July 2011)

<b>Standard Copy Fees</b>	
Item	Fee
8.5 x 11 per side	\$0.25
8.5 x 14 per side	\$0.25
11 x 17 per side	\$0.50
24 x 36 or larger per side	\$2.00
Color per side (11x17 or smaller)	\$1.50
Audio Cassette Tape	\$5.00
CD	\$5.00
Certified Mail	\$5.00
Deposit	50% over \$100.00
DVD	\$5.00
VHS Tape	\$15.00
Microfiche/Microfilm per page	\$0.50
Electronic record per side	\$0.05 less than paper copies

<b>Specific Fees</b>	
Item	Fee
<b>Bureau of Financial Services: Accounting</b>	
Comprehensive Annual Financial Reports	\$25.00 Picked up \$35.00 Mailed
<b>Office of City Auditor: Archives and Records</b>	
Scans – photos, negatives, slides; documents scanned at a dpi greater than 300	\$10.00 per image
Scans – documents 200 dpi or less	\$0.50 per image
<b>Bureau of Emergency Communications</b>	
Communications Database Research	\$50.00 per hour. 1 hour minimum.
Audio CD: 9-1-1 Telephone Call Recording / CAD Incident History Printout	\$50.00 per hour. 1 hour minimum.
Audio CD: Radio Dispatch Recording / CAD Incident History Printout	\$75.00 per incident. \$75.00 minimum. \$50.00 per additional hour beyond first hour.

<b>Labor Fees</b>
Standard per-side copy fees include up to 30 minutes of staff time to retrieve the records and all photocopying/scanning. If your request requires additional staff time, research, or attorney review, additional labor fees may be charged.
Labor fees are based on the actual cost of the employee performing the work, which includes hourly payroll rate, benefits, and overhead. See City Code Section 5.48.030.
Work to which the standard per-side copy fees cannot be applied will be charged on the basis of actual cost.

<b>Specific Fees</b>	
Item	Fee
<b>Fire Bureau</b>	
Incident Report	\$10.00 up to 5 pages \$2.00 each add'l page
Non-confidential Fire Investigation Report	\$10.00 up to 5 pages \$2.00 each add'l page
Other Document	\$0.50
Photograph 3 x 5	\$2.00
Photograph 5 x 7	\$5.00
Photograph 8 x 10	\$10.00
Photograph 10 x 12	\$10.00
Audio & video tape copy	\$22.50 per hour
Supervised Records Inspection	Actual cost of employee
<b>Police Bureau</b>	
Police Report	\$10.00 up to 5 pages \$2.00 each add'l page
Other Document	Actual cost of employee
Photograph 3 x 5	\$2.00
Photograph 5 x 7	\$5.00
Photograph 8 x 10, 10 x 12	\$10.00
Officer Notebook Entry	\$8.50 per incident/per officer
Audio/Visual Reproductions	\$ 7.50 audio cassette \$26.25 VHS (2 hour) \$20.00 CD/DVD
Address/Name Record Check	\$5.00
Fingerprint Cards	\$5.00
Index Prints	\$5.00 per page
Search Fee	\$10.00
Supervised Records Inspection	Actual cost of employee



**EXHIBIT 6**

**Invoice**

PO Number:	
Invoice:	10080602
Invoice Date:	11/07/2011
Due Date:	11/07/2011
Customer Account:	521772

City of Portland  
 Portland Housing Bureau  
 The City That Works!  
 421 SW Sixth Ave Ste 500  
 Portland OR 97204-1614

Contact Information:

Alice Williams
503-823-2382
alice.williams@portlandoregon.gov

Bill-to:

The Oregonian
1320 SW Broadway Ave
Portland OR 97201

Sold-to:

The Oregonian
1320 SW Broadway Ave
Portland OR 97201

Item	Service/Description	Price
10	2011 Public Records Request	185.98

Total Due: \$ 185.98

Message to Customer:	Re: Demographics from 2009 properties - Research time (Glur-Lauman)
Terms and Conditions:	Notice is hereby given that in the event this obligation due the City of Portland (City) is not paid, the City reserves the right to assign the debt to a private collection agency for collection. Pursuant to ORS 697.105, if this obligation is assigned for collection, the collection agency fee of 23% of the amount due may be added to the amount due, and shall be payable by you. *The City intends to assign this obligation for collection on or after 90 days from original invoice date.

Please include this portion with your payment

Invoice	10080602
Customer	521772
Customer Name	The Oregonian

Amount Due	\$ 185.98
Due Date	11/07/2011
Amount Enclosed	

Please make check payable to

CITY OF PORTLAND
Attn: Accounting Division
1120 SW Fifth Ave Rm 1250
Portland, OR 97204

Check here if new mailing address. Note changes on reverse.





---

CITY OF  
**PORTLAND, OREGON**

---

PORTLAND HOUSING BUREAU

---

**Nick Fish, Commissioner**  
Traci Manning, Director  
421 SW 6<sup>th</sup> Avenue, Suite 500  
Portland OR 97204  
(503) 823-2375  
Fax (503) 823-2387  
[www.portlandonline.com/PHB](http://www.portlandonline.com/PHB)

To: [Requester]

In accordance with ORS 192.440(2), this is to acknowledge PHB's receipt on [date] of your request for the following record[s]:

[Describe records requested.]

A. [If Uniform Request Form is not submitted]

In order for us to properly respond to your request, please fill out and submit to us the City of Portland's Uniform Request Form, which can be found on the Web at <http://www.portlandonline.com/auditor/index.cfm?&a=197568&c=35190>

B. [If Uniform Request Form is submitted]

Having reviewed your request, we are able to inform you that [choose one or combine language from different options as appropriate]:

1.  Copies of all requested public records for which PHB does not claim an exemption from disclosure under ORS 192.410 to 192.505 are enclosed. [Add fee language]
2.  PHB does not possess or is not the custodian of the requested records.
3.  PHB maintains in its databases some of the records you requested, but they are not maintained in the format you requested them.
4.  PHB is uncertain whether we possess the requested record. We will search for the record and make an appropriate response as soon as practicable.
5.  PHB is the custodian of at least some of the requested public records. We will provide an estimate of the time and fees for disclosure of the public records within a reasonable time.
6.  PHB is the custodian of at least some of the requested public records. We estimate that it will require [estimated time] before the public records may be inspected or copies of the records will be provided. Once staff has compiled the records, we can provide you an estimate of the fee to provide the requested records according to the City of Portland Standard Fee Schedule for Public Records Requests. You must then pay the fee as a condition of receiving the records.
7.  Some [or all] of the records you requested from PHB are exempt from disclosure under the public records laws. [cite exemption]