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165-2024

Emergency Ordinance

***Assign certain program functions to Commissioners-in-Charge in anticipation of the future service area realignment to support transition to the mayor-council form of government**

Referred

The City of Portland ordains:

Section 1. The Council finds:

1. On November 8, 2022, Portland voters approved Ballot Measure 26-228 changing Portland's form of government effective on January 1, 2025. The new form of government includes a unified executive branch under the direction of a Mayor and City Administrator, and a City Council with twelve members elected from four districts.
2. Since the passage of the ballot measure, the City has taken several steps to aid the transition to the new form of government.
3. On November 1, 2023, Council passed Resolution 37635 and adopted a proposed organizational chart for the new form of government to align the unified executive branch around six Service Areas as follows: Budget & Finance; City Operations; Community & Economic Development; Public Safety; Vibrant Communities; and Public Works.
4. Resolution 37635 directed that the Fiscal Year 2024-25 (FY24-25) budget is to be organized in alignment with the new organizational chart. FY24-25 begins on July 1, 2024, and spans the final six months of the existing form of government and the first six months of the new form of government.
5. Under Resolution 37635, the new organizational chart is to become effective on July 1, 2024, with Council expressly reserving its budget and legislative authority through the budget development process for FY24-25 and the remainder of 2024.
6. Resolution 37635 allows the Mayor and Commissioners to initiate streamlining, integration, and other development of the Service Areas before July 1, 2024.

Introduced by

[Mayor Ted Wheeler](#)

Contact

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

February 21, 2024

7. As the current Charter is still in effect through December 31, 2024, the City must adhere to the existing Charter authority while it accomplishes the transition to the new form of government in 2025.
8. Under current Charter Sections 2-301 and 2-302, Council action through an ordinance is necessary to move programs and functions from one bureau to another, and the Mayor has authority to assign and reassign bureaus as a whole from one Commissioner-in-Charge to another. Under current Charter Sections 2-302 and 2-303, Council may regulate the supervision and control of each department, define the powers and duties of officers and employees, assign particular officers to one or more departments, and may require an officer or employee to perform duties in two or more departments.
9. To begin streamlining, integrating, and developing the Service Areas before July 1, 2024, and in aid of the FY24-25 budget development process, Council must move certain program functions to different bureaus.

NOW, THEREFORE, the Council directs:

A. Pursuant to Charter Sections 2-301, 2-302, and 2-303:

1. The budget and personnel functions of the **Enhanced Service Districts Coordinator** currently housed within the Office of the CAO are under the supervision of the Commissioner-in-Charge of Prosper Portland in anticipation of the Community & Economic Development Service Area, with all remaining functions under the supervision of the Mayor pending further code changes and budget actions necessary to advance the transition.
2. The budget and personnel functions of the **Spectator Venues & Visitor Activities Program** are under the supervision of the Commissioner-in-Charge of Prosper Portland in anticipation of the Community & Economic Development Service Area, with all remaining functions under the supervision of the Mayor pending further code changes and budget actions necessary to advance the transition.
3. The budget and personnel functions of the **City Arts Program** are under the supervision of the Commissioner-in-Charge of the Bureau of Parks & Recreation in anticipation of the Vibrant Communities Service Area, with all remaining functions under the supervision of the Mayor pending further code changes and budget actions necessary to advance the transition.

B. As used in this ordinance, "budget and personnel functions" means those functions related to the development and preparation of the FY24-25 budget recommendations for the program, and budget or personnel actions for the program in the current fiscal year that may impact the FY24-25 budget, including whether to fill vacancies and whether to commit funds for projects beyond the current fiscal year, and other similar budget or personnel actions that may impact the FY24-25 budget.

C. This ordinance does not change the employment status of any City employees. Employees assigned to perform work for the programs identified by this ordinance shall perform the same type of duties as listed in their classification specification.

Section 2. The Council declares that an emergency exists because delay would unnecessarily impair the City's ability to pursue an orderly transition to the new form of government; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Impact Statement

Purpose of Proposed Legislation and Background Information

This ordinance relates to the voter-approved City Charter change and reflects the organizational chart passed by City Council in preparation for the new form of government. The Mayor has and will continue to identify opportunities to advance the alignment and integration of programs and related personnel into the new structure, with the support of the Commissioner-in-Charge. These means that the Commissioner-in-Charge and staff will have more time to work together before the adopted budget goes into effect on July 1 2024.

Financial and Budgetary Impacts

This ordinance would not have any financial impacts in the current budget cycle. In the next budget cycle, Council expects the current costs for personnel and associated materials and services will shift from one service area to another.

Community Impacts and Community Involvement

Not applicable.

100% Renewable Goal

Not applicable.

Agenda Items

165 Consent Agenda in [February 21, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/2/21) (<https://www.portland.gov/council/agenda/2024/2/21>)

Referred to Commissioner of Finance and Administration

Item 165 was pulled from the Consent Agenda for discussion.