



CITY OF  
**PORTLAND, OREGON**  
OFFICE OF THE CITY ATTORNEY

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June 11, 2024

INTEROFFICE MEMORANDUM

TO: Keelan McClymont, Council Clerk, Auditor's Office

FROM: Linda Law, Chief Deputy City Attorney

SUBJECT: Timing of Effective Date of Ordinance 191740 Directive A

Per the request of the Auditor's Office, this serves as the file note related to Ordinance 191740.

**Approval:**

The City Attorney gives approval for the Auditor to use the effective date of July 1, 2024 for Ordinance 191740 Directive A, as the effective date for both repealing and replacing the various Codes identified in the ordinance would be July 1, 2024.

**Supporting Background:**

The ordinance has the intent of being seamless in the repeal and replacement of Code chapters.

Per the following, July 1, 2024 is the effective date related to repeal of Chapters 3.08 (Treasurer) and 3.15 (Office of Management and Finance (OMF)) as directed in ordinance Directive A.

- Ordinance Finding 4 (re "*Ordinance Overview*") – the last bullet identified the ordinance purpose as "*Replace and Repeal Code Chapters.*"
- Ordinance Finding 10 identified that the repeal and replace actions would be done in sequence, one after the other. "*10. As a result of these adjustments, Code Chapter 3.15 – which established OMF as a bureau with subordinate units – needs to be repealed. In its place, Code Chapters for BHR, BTS and the new bureau of Fleet and Facilities should be added.*"

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- Ordinance Findings 12 and 13 pertained to timing of when the new City Administrator (CA) would take the powers of the dissolved OMF bureau and the replaced Chief Administrative Officer (CAO), with the City Administrator Code Chapter 3.06 to be codified for July 1<sup>st</sup> in order for the power transfer between OMF and its CAO to the CA to occur.
- Council presentation on the ordinance (Agenda # 424, hearing on May 22, 2024) by Elyse Rosenberg (Deputy Chief Technology Officer) and Mike Jordan (CAO and interim CA) further supported July 1<sup>st</sup> as the effective date.
  - Video time ~ 2:08:44, Elyse testified about aligning codes, budget, payroll and other City systems for July 1<sup>st</sup> in association with the presentation slide *"Title 3 and Title 17 Updates to Reflect City Organization."*
  - Video time ~ 2:11:03, presentation slide *"Timeline"* showed July 1, 2024 to December 31, 2024 (with testimony that Council retains current authorities but would have delegated some to the City Administrator or Deputy City Administrators) differentiating from January 1, 2025.
  - Video time ~ 2:13:12, presentation slide *"Separating OMF"* showed the intention of establishing the City Administrator and elevating formerly subordinate Bureau of Technology Services (BTS) and Bureau of Human Resources (BHR) to separate City bureaus, and creating a new bureau of Fleet and Facilities from OMF.
  - Video time ~ 2:13:59, testimony from Elyse indicated that the agenda item (the ordinance) aimed to be timely so that there would be code authority for the new Fiscal Year budget that would be adopted for effectiveness on July 1<sup>st</sup>, and to align the financial and human resources structures for that same timing.

Further, in the e-council filing process, the Directive A lack of effective date in its drafting had been identified by the Auditor's Office as an error to fix, but which was unintentionally overlooked in our ordinance correction task.

LSL/II