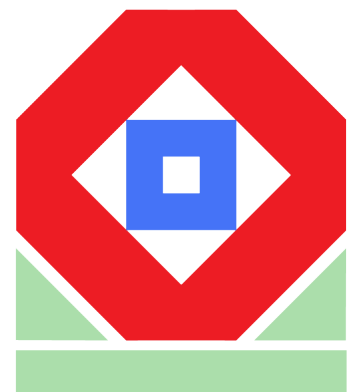


**Ensuring Accountability,
Inspiring Trust.**



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City Auditor**

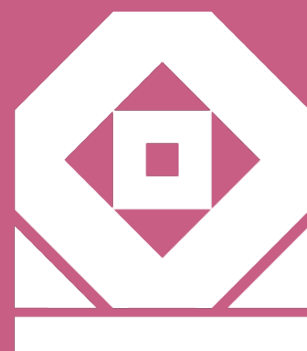


City Disclosures Required for Elected City Officials

**City Elections Division
December 12, 2024**

Deborah Scroggin
City Elections Division Manager

Louise Hansen
City Elections Officer



**Portland
City Auditor**
Campaign Finance &
Lobbying Regulations

THE WHY

“The City has a compelling interest in encouraging open government processes to avoid even the appearance of favoritism.”

Ordinance No. 179843 (Dec. 2005)

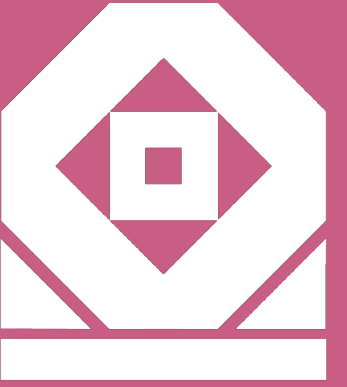
Establishing City Code Chapter 2.12 Regulation of Lobbying Entities



**Portland
City Auditor**

Campaign Finance &
Lobbying Regulations

Training Overview



Political Consultants
Definitions
Reporting requirements



Lobbying Gifts & Donation Agreements
Definitions
Reporting requirements



Posting Calendars
Requirements
Best practices



**Post-Employment
Lobbying Restrictions
("Cooling-off periods")**
Who is prohibited
Lengths of prohibitions

Required Quarterly Disclosures

What's Required for Elected City Officials?

SUBMIT EVERY QUARTER

Regardless of whether you have substance to report...

1. Political Consultant Activity Report

- Candidate campaigns
- Measures you've sponsored for referral to voters

2. Lobbying Activity Report

- Gifts from lobbyists
- Agreements from lobbyists to donate to City

3. Calendar

- Official City business

Quarters and Deadlines

Quarter 1: Jan 1 – Mar 31

Apr 15 * - Filing deadline

Apr 25 * - Amendment deadline

Quarter 2: Apr 1 – Jun 30

Jul 15 * - Filing deadline

Jul 25 * - Amendment deadline

Quarter 3: Jul 1 – Sept 30

Oct 15 * - Filing deadline

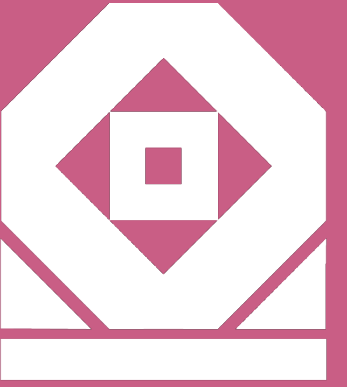
Oct 25 * - Amendment deadline

Quarter 4: Oct 1 – Dec 31

Jan 15 * - Filing deadline

Jan 25 * - Amendment deadline

*** Deadlines falling on
holidays or weekends
move to the following
business day**



When are your FIRST reports due?

January 15: Political consultant activity report

Q4 2024: Spanning Oct 1, 2024 – Dec 31, 2024

April 15: Political consultant activity report

Lobbying activity report

Calendar posting

Q1 2025: Spanning Jan 1, 2025 – Mar 31, 2025



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Lobbying Regulations

Reporting Political Consultant Activity

City Code Chapter 2.14
ARA 14.01

Reporting Political Consultant Activity

WARNING



Do **NOT** use City staff time or City staff resources to complete your Political Consultant Activity Reports.

Doing so may result in violations of City regulations and state law restricting political activity.

Ask the City Attorney's Office or review the political activities restrictions training information if you have questions.

Who are political consultants?

Person/entity that provides **political consulting services** to an elected City official or a successful candidate for elected City office (or their principal campaign committee)

A few examples of who is excluded:

- Professional fundraiser
- People who don't engage in political consulting services as a trade/profession
- City employees

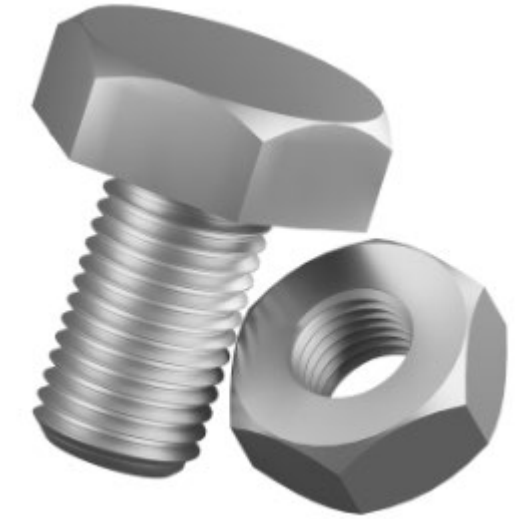
What are political consulting services?

Actions in campaign management and political strategy services

Includes (but not limited to):

- Advocacy, strategy
- Issues and opposition research
- Candidate development, policy training, political image consulting
- Strategic communication (news releases, speech writing, talking points)

Political consultant reports: nuts & bolts



- Names
- Contact information (unregistered political consultants)
- Date services started
- Whether services for candidate campaign or sponsored City-referred measure
 - Sponsorship by elected official determined by who signed the resolution
- File updated statement within 15 days of any change in reported information

Prohibitions under the City's political consultant regs

Political Consultants

May not provide Political Consulting Services without fulfilling the City's reporting requirements

- Political Consultants must **register** in the City's Political Consultant online portal by
 - **Jan 15, 2025** (for consultants that provided services to a newly elected City official)
 - **15 days** after providing any Political Consulting Services to an elected City official

City elected officials

May not knowingly use a Political Consultant who is in violation of the City's requirements

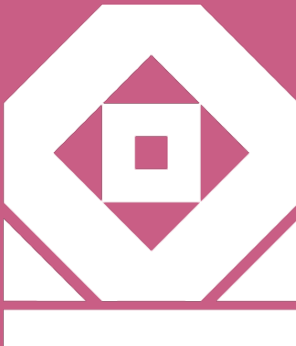
No person

Shall submit false, fraudulent or misleading information on statements

Breathing exercise...



inhale
exhale



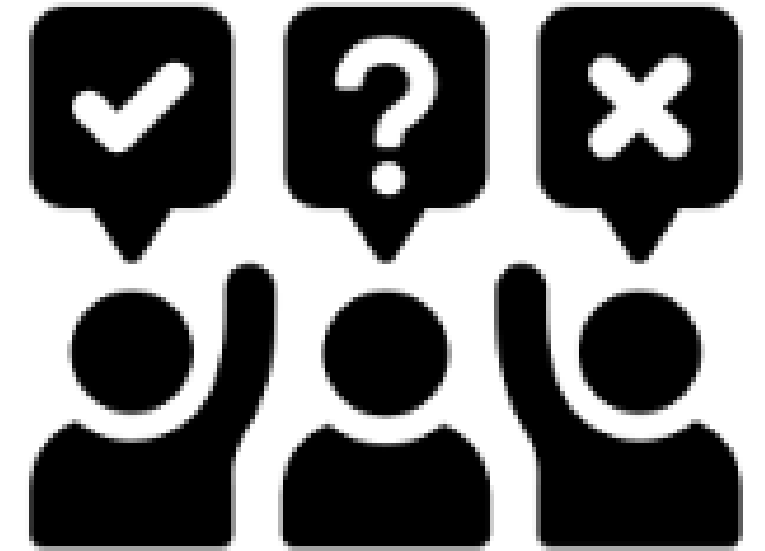
Reporting Gifts & Agreements to Donate from Lobbyists

City Code Chapter 2.12.070
ARA 15.02

Who is a lobbyist?

What is the City's definition? **Let's take a poll!**

- A. Any individual paid to influence City legislative or administrative action.
- B. Any individual who directly communicates with City officials to take or not take City action.
- C. Any individual authorized to lobby on behalf of a lobbying entity.
- D. Any individual who promotes their personal opinion to advocate, influence, or oppose a pending City matter.
- E. Any individual who promotes the long bob (lob) hairstyle.



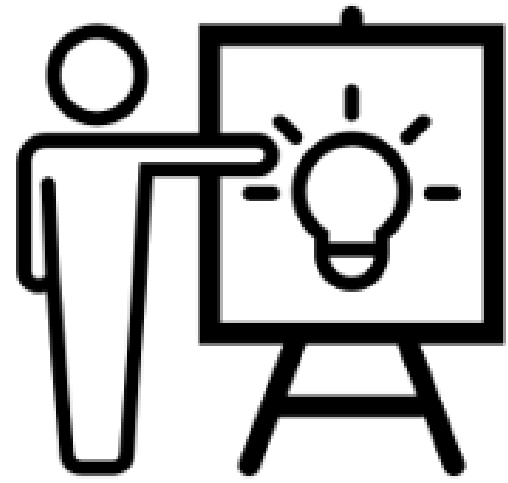
Who is a lobbyist?

Lobbyist

Any individual authorized to lobby on behalf of a **lobbying entity**



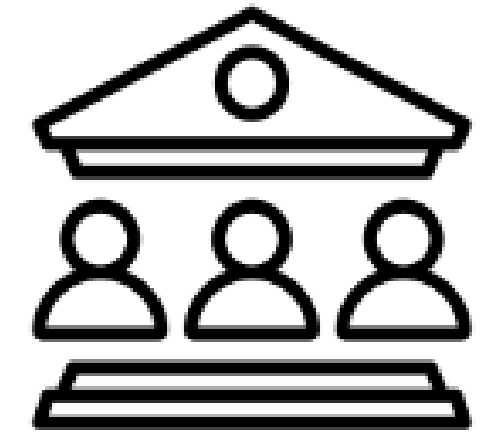
What is a lobbying entity?



Also Includes

other groups who lobby by employing or otherwise authorizing a lobbyist to lobby on that person's behalf

including...



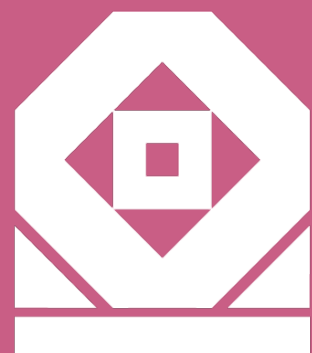
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Who is a lobbyist?

Lobbyist

Any individual authorized to **lobby** on behalf of a lobbying entity



What does it mean to lobby?

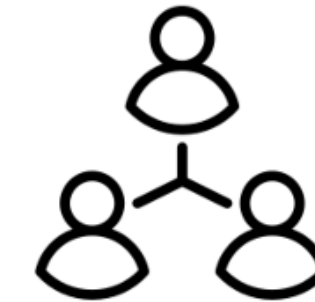
Attempting to influence the official action of City officials

Attempting to influence

Communicating with a City official by **any means**

directly or through an **intermediary**

to promote/oppose/advocate on any official action



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Campaign Finance &
Lobbying Regulations

What does it mean to lobby?

Attempting to influence the **official action** of City officials

Official action

- Testimony
- Debate
- Voting
- **Or any other official action**



- Ordinance
- Measure
- Resolution
- Report

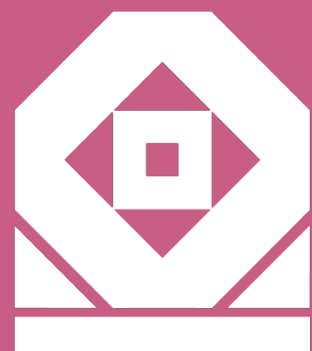
- **Or any matter,** including administrative action, **that may be the subject of action by the City**

Exceptions to lobbying...

- Own opinion
- Certain boards/committees/working groups
- Official capacity
- Request for Proposal (RFP)
- Intergovernmental agreements
- Certain labor organization communications
- Testimony
- Contract/grant work
- Elected public official, official capacity
- Responses to certain City requests
- Ministerial tasks

Now that we know what lobbying is and how to define a lobbyist...

Let's talk about reporting their gifts and agreements to donate to the City.



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What is a gift?

Gift

- Something of economic value **without** valuable consideration of equivalent value
- Something of economic value given to a City official for valuable consideration **less** than that required from non-City officials

Excludes



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Lobbying Regulations

Should I accept this gift?

Consult the City Attorney's Office!

Some State laws and City rules include restrictions on **accepting** gifts

NOTE!

Disclosing a gift does **NOT** mean the gift becomes automatically acceptable



Reporting gifts from lobbyists

\$25 or more

- Gift items
- Meals
- Entertainment

Fair market value

Report regardless of lobbying registration status for lobbyist or lobbying entity

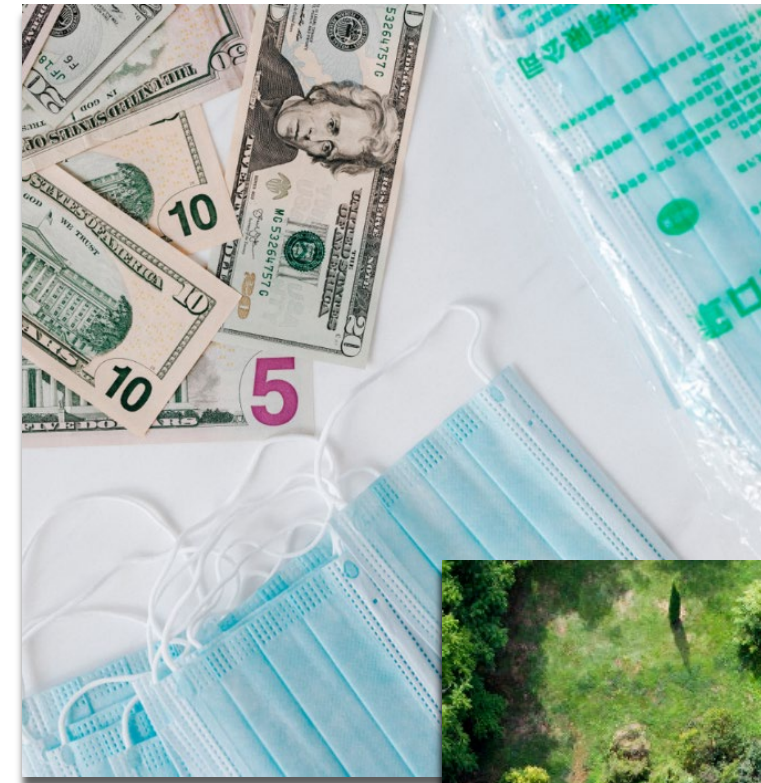


Donations to City from lobbyists

Agreements to Donate

- Personal property
- Real property

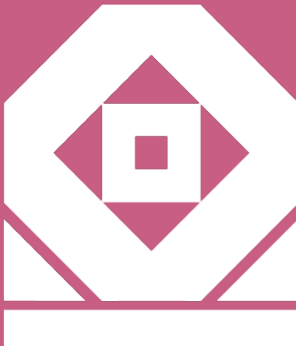
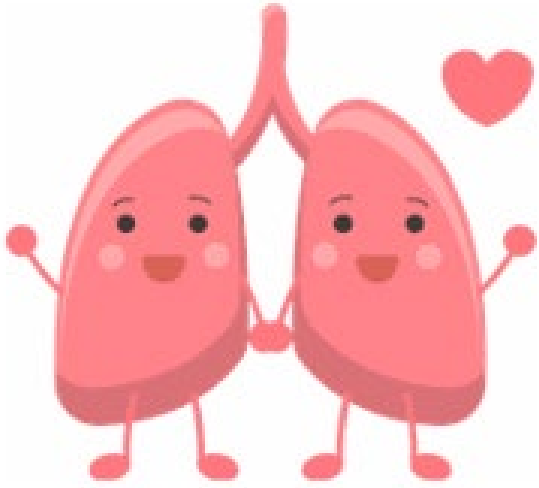
Report regardless of lobbying registration status for lobbyist or lobbying entity



Breathing exercise...



inhale
exhale



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Campaign Finance &
Lobbying Regulations

Posting Calendars

City Code Chapter 2.12.070
ARA 15.02

Calendar posting requirements: nuts & bolts



- Official City business
- Date
- Length (time)
- Other City elected officials, **City directors**, or outside parties
- Primary participants or organizations in attendance
- Keep posted for 1 calendar year

Who are City directors?

- City Administrator
- Assistant City Administrator
- Deputy City Administrators
- Equity Officer
- Sustainability Officer
- Director or individual in charge of the bureaus/offices/areas identified in **ARA 15.01(E)(2)**

Best practices



Encourage lobbyist registration and reporting



Internal meetings not necessary with policy directors or bureau managers



Include names
(avoid using someone's initials as an abbreviation)



Include position titles



Avoid acronyms
(e.g., OMF)



Regularly post calendar on a schedule



Include meeting topic
(when appropriate)



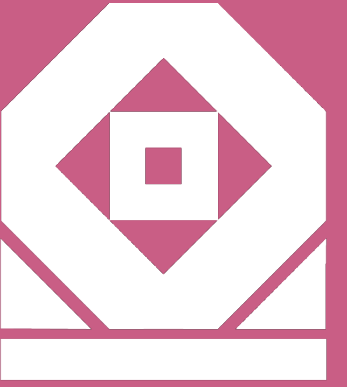
Safety exemption

- Whether posting would pose a safety threat
 - Self
 - Other attendee
 - City generally
- City Attorney or designee makes determination
- Criteria included in ARA 15.02

Best practice



- Post notice for the public that calendar(s) not posted due to exemption
- Helps clarify for the public that calendar not merely forgotten





Posting example

Tuesday, January 26

- 9:30am - 11:30am **WORK SESSION: Digital Equity Action Plan** (Virtual) 
- 1:00pm - 2:15pm **MEET: Andrea Durbin, Bureau of Planning & Sustainability (BPS) Director** (Virtual)
- 2:30pm - 3:00pm **MEET: Tom Rinehart, Chief Administrative Officer (CAO)** (Virtual)
- 3:00pm - 4:00pm **ATTEND: Portland Public Schools (PPS) Reopening Update** (Virtual)
- 4:30pm - 5:00pm **MEET: Mayor Wheeler** (Virtual)
- 5:00pm - 8:00pm **ATTEND: Planning and Sustainability Commission (PSC) Meeting** (Virtual)
- 11:00am - 12:00pm **Canceled: Management & Communications Meeting** (Zoom) - Wheeler, Ted 
- 12:30pm - 2:00pm **Hold for Commissioner Private Appointments**

Consider **where** you post

Posting in a prominent place fosters accessibility and transparency for the public.

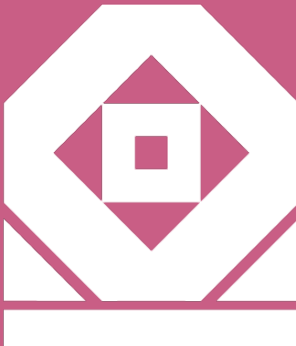
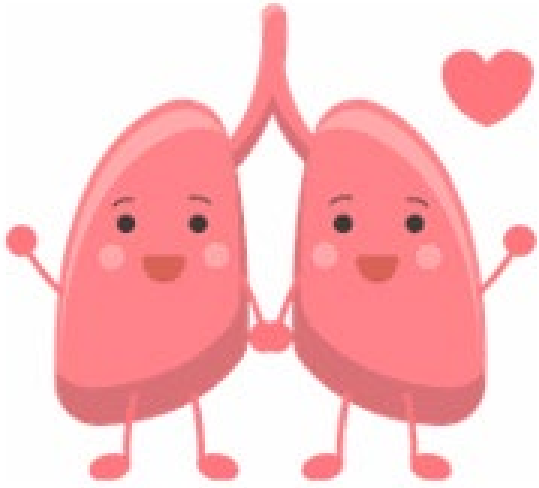
NOTIFY

City Elections Division of calendar location

Breathing exercise...



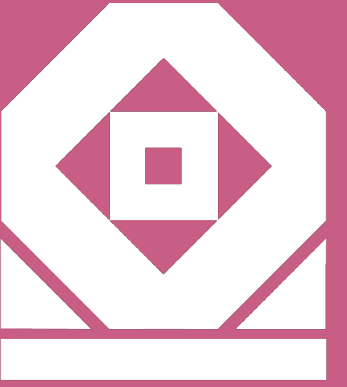
inhale
exhale



Post Employment with City

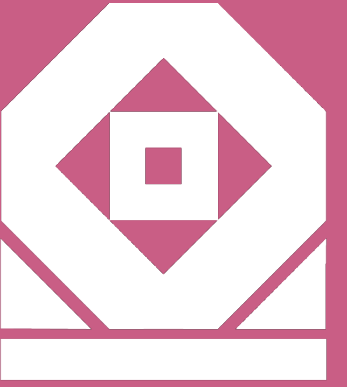
Restrictions on Lobbying

City Code Chapter 2.12.080



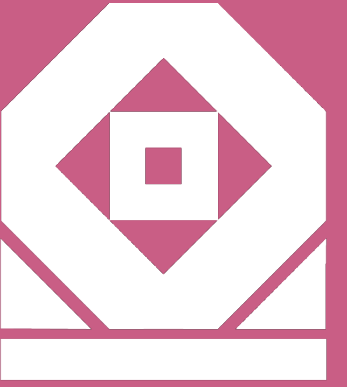
For all elected City officials

Former position	Prohibition length	Prohibited from lobbying (paid or for other consideration)
City elected official	2 years	City elected officials Salaried at-will staff of City elected officials Office of City Administrator
Salaried at-will staff of Councilor	1 year	City elected officials Salaried at-will staff of City elected officials
City employee	Duration of contract	City official - <i>regarding any contracts the employee exercised mgmt. authority over</i>



Additional for the Mayor

Former position	Prohibition length	Prohibited from lobbying (paid or for other consideration)
Salaried at-will staff of Mayor	1 year	Mayor Mayor's salaried at-will staff Office of City Administrator
City director	2 years	Current City director Mayor* Office of City Administrator* <i>*regarding matters within powers and duties of former director's bureau/office</i>



Additional for the Auditor

Former position	Prohibition length	Prohibited from lobbying (paid or for other consideration)
Salaried at-will staff of Auditor	1 year	Auditor Auditor's salaried at-will staff

Exceptions to Post-Employment Lobbying Restrictions

- Representing self or immediate family in individual capacity
- Official capacity if public employee
- **Ministerial actions** do not count
 - **Ministerial action:** City employee discretion not required for any outcome or course of action
- Certain City requests to former City employees

Additional Resources

Political Consultant and Lobbying Regulations

Included in supplemental PowerPoint

Includes

- How-to videos for filing reports
- Important website links

City Disclosures Required for Elected City Officials

Resources

City Elections Division
December 12, 2024





Portland City Auditor

Campaign Finance &
Lobbying Regulations



lobbyist@portlandoregon.gov

City Hall
1221 SW Fourth Ave
Room 130
Portland, OR 97204

503-823-4022

portland.gov/lobbyist