

CITY OF PORTLAND

DRAFTING MANUAL

FOR

ORDINANCES, RESOLUTIONS, REPORTS

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I. INTRODUCTION

This manual has been prepared by the Council/Contracts Division of the City Auditor's Office to help in the preparation of ordinances, resolutions and reports for submission to the City Council. It is based primarily on Charter and Code provisions, but also includes procedures based on City Hall custom and Council preferences. It is general in nature and does not attempt to cover all the exceptions, unusual circumstances and variations that occur. If you have any questions, please contact the Council Clerk at 503-823-4086.

Please note that the Council Agendas from January, 1997 to the present are available on the Internet at <http://www.portlandonline.com/auditor/councilclerk>.

The City Code and Charter are on the Internet at <http://www.portlandonline.com/auditor/code>.

II. PROCEDURES

A. The Portland City Council

The Council is responsible for making administrative, legislative and quasi-judicial decisions under the City of Portland's commission form of government. The specific powers of the Council granted by the City Charter Section 2-110 through 2-127, as well as provisions regarding Council organization and procedures, are further delineated in the City Code, Chapter 3.02. The City Code and Charter are published on the City's web site <http://www.portlandonline.com/auditor/code>.

B. Definitions

There are four types of Council documents:

1. **Ordinance:** A formal document by which the Council conducts its legislative, quasi-judicial and most administrative business. An ordinance carries the binding force of law. It is passed by the Council in accordance with rules of procedure set forth by the Charter. The number of affirmative votes required for passage varies from three to five, depending upon the type of ordinance. See Part III H., Emergency v. Non-Emergency Ordinances.

NOTE: Any action to be taken by City Council that is intended to have the binding force of law must be in the form of an ordinance, NOT a resolution

NOTE: City Attorney approval is required for contracts, amendments to contracts, easements, franchises, Code changes, Charter amendments and Comprehensive Plan amendments.

NOTE: Code ordinances must be filed two weeks before the Council date. See Appendix F, Preparing Code Amendment Ordinances.

2. **Resolution:** A formal document by which the Council declares City policy or directs officers or subdivisions of the City to take specific action. The adoption of a resolution requires three affirmative votes. Resolutions take effect immediately. Proposed amendments to the City Charter to be referred to the voters are adopted as resolutions, with the revised Charter language included as an attachment to the resolution.
3. **Report:** A formal communication from a Commissioner, select committee or an officer of the City to the City Council. A report may provide information, transmit documents or make recommendations. A report uses a standard memorandum format and is either received by the Council without vote (if it merely provides information/no action required) or acted on by the Council (if it contains recommendations). Adoption requires three affirmative votes.
4. **Documents from outside City government:** Refer to the Council Clerk. Examples are Communications, Presentations, Proclamations.

C. Council Agenda

The Council Agenda is the official weekly list of items to come before the Council. It is prepared weekly by the Council Clerk in the Auditor's Office from submitted documents. All documents must be submitted in paper and electronic form (See Section VI. Submission of Documents).

The Agenda acts as the official notice to the public and media of each Council meeting as required under Oregon's Public Meetings Law. It must be available no later than 24 hours prior to the meeting. The Council Agenda is printed in full in the Tuesday edition of the "Daily Journal of Commerce" newspaper that provides for general public notice.

The Agenda with associated documents are available directly from the City home page www.portlandonline.com→ I Want To...→City Council Agenda, or at <http://www.portlandonline.com/auditor/councilclerk>.

1. Consent Agenda

The Consent Agenda was adopted as a means of expediting business and speeding up Council sessions. Items placed on the Consent Agenda are not read aloud during the session and only one vote is taken by the Council for approval of the entire Consent Agenda. Almost any item can be placed on the Consent Agenda; exceptions are appeals, budget adjustments and hearings. Non-emergency ordinances on Consent Agenda pass to second reading.

NOTE: Passage of items on the Consent Agenda requires the unanimous vote of all members present and no less than four members present.

If **anyone** wishes to have an item removed from the Consent Agenda, he or she simply asks the Council Clerk that it be removed and considered as a regular item. In other words, any employee or citizen can request removal of an item from the Consent Agenda verbally or in writing, prior to the Council vote on the Consent Agenda (Code Section 3.02.036 D.)

Items removed from the Consent Agenda are considered by the Council before the Regular Agenda.

2. Regular Agenda

When public discussion is expected or media coverage is desirable, the item should be placed on the Regular Agenda. Hearings and ordinances that increase the budget are also placed on Regular Agenda. These items are read and voted on individually.

NOTE: The bureau should indicate its preference for Consent or Regular Agenda on the backing sheet of the ordinance form.

3. Four-Fifths Agenda

The **Four-Fifths Agenda** is a supplemental Agenda. To get an item on the Four-Fifths Agenda, you must obtain, on the document backing sheet, the initials of at least four City Council members **who will be present** at the meeting (initials of authorized Council staff are acceptable in place of Council initials). Once the initials are obtained, the document must be filed with the Council Clerk no later than Tuesday at 5:00 p.m. to be considered at either the Wednesday meeting or recessed Thursday session. The Four-Fifths Agenda is taken as the last item of business at its Wednesday or Thursday meeting.

4. Suspension of the Rules

Council can "suspend the rules" if at least four members of the Council vote to do so (Code Section 3.02.040). If a matter is deemed to be of such importance or urgency that this action is required, it becomes the responsibility of the Commissioner-In-Charge of the bureau making the request to ask for Suspension of the Rules during the Council meeting.

This is the least preferred manner of bringing an item before Council because it does not allow for prior Council review or for public notice. If at all possible, an effort should be made to inform other Council members of the item so that issues of concern can be discussed prior to the meeting. It is also advisable to inform concerned parties, if known, of the action so they may attend if they wish.

Once an item is before Council under Suspension of the Rules, they may act on it as they would any other Agenda item.

D. Filing and Deadlines

The deadline for filing documents with the Council Clerk for Council consideration is 5:00 p.m. on Thursday, unless an earlier deadline is announced due to a holiday. The Mayor and Commissioners' offices may have additional filing protocols. Contact your Commissioner's office for these requirements. Financial Impact Statements (see Appendix H) and a copy of the ordinance or resolution should be submitted to a Financial Planning Division analyst at the time they are submitted to the Commissioner-in-charge. This will allow review of documents and correction of any problems before the item is placed on the Agenda. However, items with major fiscal impact (e.g. rate ordinances etc.) should be submitted two weeks prior to filing.

All documents filed with the Council Clerk must be signed and initialed by the approving authorities and accompanied by supporting materials. All Council documents must be submitted in paper and electronic form (See Section VI. Submission of Documents).

Code deadlines: Any Code change, with the exception of Title 33 Planning and Zoning, must be approved by the Council Clerk and City Attorney's Office before it is placed on the Agenda. Allow two weeks for the review process. (If the two-week process will create a difficulty, notify and make arrangements with the Council Clerk.) Do not make distribution copies until you have received approval. Code changes to Title 33 Planning and Zoning must be signed off by City Attorney's Office only.

Note for Commissioners: City Code 3.02.040 E (5) Matters being placed on the agenda shall be: a. Signed by a Commissioner or the City Auditor or a designee for whom an authorization has been filed with the City Auditor. When the matter is not signed by the Commissioner in Charge or the Auditor, then notice of such action shall be given to all members of Council at least one week prior to the hearing of the matter.

E. Scheduling

Certain items require special attention. Placement of a major or controversial item on the Agenda should be coordinated with the Council Clerk and the Commissioner's Office. Times and dates for confirmed major items are posted on the City's web page at <http://www.portlandonline.com/auditor/councilclerk>.

The Council Clerk keeps a calendar on Outlook listing scheduled absences by Council members. Go to Outlook→All Public Folders→City Public Folders→Auditor→Council Absence.

F. Time Certain

A Time Certain may be requested for important or controversial Agenda items where considerable public testimony is expected. It indicates that an item will not be heard by Council **prior** to the time specified and thus limits the time spent waiting for an item to come before Council (Code Section 3.02.037). **Time Certain scheduling should be used only for exceptional situations.** Normally, no more than one Time Certain item is scheduled for each session.

To schedule a Time Certain item, contact the Council Clerk for an available date and time. In addition, a written request from the Commissioner-In-Charge must be submitted to the Clerk no later than four days prior to the filing deadline. Please include an estimate of how long the time certain will last.

G. Amended and Substitute Ordinances and Resolutions

Corrections may be made to documents after they are filed either by amendment or substitution. A final electronic version of the amended or substituted document must be filed with the Council Clerk through the office of the Commissioner-In-Charge after passage by Council.

If the substitute or amendment is presented at the second reading of an ordinance, the item is continued to the following week.

Amendment

If the correction involves just a few words, numbers, etc., it can be made by having Council amend the document during deliberations. The Commissioner-In-Charge and the Clerk of the Council need to be informed of the amendment **prior** to the Council session. Include 10 copies of proposed amendments for distribution to Council members and staff. A new backing sheet is not necessary.

Substitution

If the correction is more complicated or substantive, then a substitute should be filed. A substitute is the **replacement** of one document by another. The substitute must be signed by the Commissioner-In-Charge and **the filing process is the same as an original submission**; an original with a backing sheet and 10 copies. Again, the Commissioner-In-Charge and the Clerk of the Council need to be informed of the nature of the substitution. A substitute should be filed **prior** to the Council meeting and have the City Attorney's approval if necessary.

Include a few extra copies of proposed amendments/substitutions to be presented at the Council meeting for interested members of the Council audience.

Changes involving minor typographical (scrivener's) errors can be corrected by the Council Clerk and need not be circulated.

H. Council Action (Votes)

Three Council members constitute a quorum. The required number of votes needed to take action on an item is as follows:

1. Ordinances
 - a. Non-Emergency - Three votes
 - b. Emergency - The unanimous vote of all members present and no less than four members present
2. Resolutions - three votes
3. Reports - three votes

NOTE: Passage of items on the Consent Agenda requires the unanimous vote of all members present and no less than four members present

III. ORDINANCE FORMAT (See Appendices A and B)

Per City Charter, an ordinance is an official act of the City and should pertain to one general subject. (See City Charter Sections 2-117 through 2-125) An ordinance must contain certain sections to make it an official document. An electronic ordinance form is available at <http://www.portlandonline.com/auditor/councilclerk> → Form Library. Please use Times New Roman 12 point font and one-inch margins. Number pages in the footer (ex. Page 1 of 2).

A. Number

This is a space for the Auditor to enter the ordinance number after it has been passed by the Council. The ordinance backing sheet has this preprinted at the top. If the ordinance is more than one page, type in the words "ORDINANCE No." at the top of the first page only.

B. Title (See Appendix E)

The title of a document submitted for Council action is listed in the Agenda and is used to inform the public of the proposed action. Citizens should be able to understand the major subject of the ordinance just by reading the title. Include as much information as needed to meet that purpose, but try to be as brief and specific as possible. Start with an action verb such as "authorize", "accept", "create" or "establish." For example:

*Authorize contract with 3M Corporation for installation of red tape
at \$140,000 (Ordinance)

NOTE: Use an asterisk (*) to indicate an emergency ordinance.

NOTE: See Appendix E for complete instructions and examples.

Include:

- Dollar amounts
- Complete names of corporation and government entities. No acronyms.

Do not use in the title:

- Phrases such as "an ordinance amending" "declaring an emergency" "drawing and delivering of warrants."
- "City of Portland". Use "City"
- Legal descriptions
- Center Code Numbers
- Gerunds such as "amending," "substituting," or "contracting."
- Abbreviations and parenthetical material such as twenty (20) or Portland General Electric Company (PGE). Spell out complete names in the title.

At the end of the title there is a parenthetical section. Add the type of document (ordinance, resolution, report) and identifying data such as the Code section affected or contract number. Example: (Ordinance; amend Contract No. 1234)

C. Enactment Clause

Charter Section 2-119 states that every ordinance shall contain the clause, "The City of Portland ordains: . . ." Therefore, you must include that clause in every ordinance between the title and the findings.

D. Section 1. Findings

This section follows the enactment clause and begins with, "Section 1. The Council Finds: . . ." In this section, explain the need for the action being taken, list other ordinances, resolutions or reports which may have led to this action, and present other pertinent information necessary to understand the action to be taken. Each major point is listed numerically. When referring to previous ordinances or resolutions, list the number and date of passage/adoption as follows: "Ordinance No. 155555, passed by the Council on June 30, 1982, authorized . . ."

An action involving an organization or individuals, such as granting a revocable permit, should include the complete address and, if possible, the name of the contact within the organization.

For ordinances authorizing contracts, it is helpful to include a statement as to whether funds are available in the current fiscal year budget.

E. Directive Section

This section begins with "NOW, THEREFORE, the Council directs: ..." and specifically outlines what action is to be taken.

Each specific action, stating a directive for someone to do something, should be listed separately. If an intended action is not listed here, it will not happen. The actions are listed alphabetically ("a.", "b.", etc.), unlike the "findings" section, which lists each major point numerically.

Portland Policy Documents:

If the ordinance outlines binding city policy, non-binding city policy or administrative rule, it must state so as a separate directive as follows: "This ordinance is binding city policy [non-binding city policy or administrative rule]." See Appendix I, Portland Policy Documents.

Portland Policy Documents (PPD) are policies that affect future decision making, all citizens, or all City employees. Examples are City Investment Policy (future decisions), Tacoma Main Street Plan (all citizens) and HR Admin Rules (all City employees). PPDs are tracked by the Auditor's office and posted on the web at <http://www.portlandonline.com/auditor/code>. Examples of items that are not PPD are Code, Comp Plan and Bureau Policies. When filing a PPD ordinance or resolution (1) include a separate directive described above, and (2) Check "yes" in the Portland Policy Document box on the backing sheet.

Contract Directives

When preparing ordinances approving contracts/agreements, be sure that the **people** authorized in the ordinance to sign the contract for the City are the **same people** whose names appear on the signature block of the contract. The Commissioner-in-Charge **and** the Auditor are normally the officials who sign.

If there is a possibility that minor changes will be made to the contract (after passage by Council), state in the Directives paragraph (a) “in a form substantially in accordance with the contract attached as Exhibit A.”

Example:

NOW, THEREFORE, the Council directs:

- a. The Commissioner-in-Charge and Auditor are hereby authorized to enter into an contract with Company XYZ **in a form substantially in accordance with the agreement attached as Exhibit A.** (Emphasis added.)

Section 2. Emergency clause directive (see next page).

F. The Lower Left Hand Corner and Signature Block

In the lower left hand corner, the words "Passed by the Council" are printed. Below these words, type in the name of the elected official introducing the ordinance, the name of the preparer, initials of the typist, and the date prepared.

The Auditor's signature block should be in the lower right hand corner.

Do not use the footer for this section. Headers and footers do not show in our electronic filing system.

G. Exhibits

Documents specifically listed in the directive section are labeled and attached as exhibits to the ordinance. For example, an ordinance authorizing the Commissioner-in-Charge and the Auditor to sign a contract with XYZ Company should have a copy of the contract attached as an exhibit. If a document is attached as an exhibit, it becomes a part of the ordinance and is just as binding as if the words had been typed into the ordinance.

Only essential information should be referenced as an exhibit. Background information should be presented in a cover memo or distributed to the Council members in a separate document if it does not need to be part of the record.

If the exact form of the exhibit is to be determined after the ordinance is passed, or there is a possibility that it might be modified in some way, it is advisable to include the phrase “substantially in conformance with Exhibit A.” in the Ordinance directives.

NOTE: Submit exhibits in paper and electronic format. If the electronic file is too large to email, provide it on a cd or email Clerk’s Office a web link to the posting on your Bureau’s website.

H. Emergency vs. Non-Emergency Ordinances

There are two types of ordinances acted on by the Council: Emergency and Non-Emergency. The primary difference is the time required for the ordinance to take effect and the number of votes required for passage.

- 1. Emergency Ordinance (Appendix A):** This type of ordinance becomes effective immediately upon passage by the Council unless a date is specifically stated in the ordinance which is less than 30 days after passage. The unanimous vote of all members present and no less than four members present are required to pass an emergency ordinance.

Every emergency ordinance must have an **emergency clause** as the last section of the ordinance. The clause begins with the statement: "The Council declares an emergency exists because . . ." and is followed by the statement, "Therefore this ordinance shall be in full force and effect from and after its passage by the Council." (Or, after a specified date.)

The reasons for declaring an emergency vary widely. It is not sufficient to state there is an emergency. The Charter requires that the facts or reasons constituting the emergency must be stated specifically and distinctly.

An emergency ordinance is designated by an asterisk (*) preceding the title on the ordinance form and preceding the Agenda number on the Agenda. If Section 2 is used for additional directives in the directive section, number the emergency clause accordingly, such as Section 3 or Section 4, as appropriate.

- 2. Non-Emergency Ordinance (Appendix B):** This type of ordinance becomes effective 30 days after final passage by the Council. The ordinance must be read on two separate occasions at least five days apart in Council (City Charter Section 2-120). It requires only three affirmative votes for passage.

When a non-emergency ordinance is amended or substituted at a second reading, it is continued to the following week.

Chart of Non-Emergency/Emergency Ordinances and Consent/Regular Agendas

		<u>CONSENT AGENDA</u>	<u>REGULAR AGENDA</u>
Non-Emergency Ord	<ul style="list-style-type: none"> ▪ Requires 3 votes min. to pass ▪ Passes to 2nd reading ▪ Effective in 30 days after 2nd reading 	No Discussion	Discussion
<i>Emergency Ord</i>	<ul style="list-style-type: none"> ▪ <i>Requires 4 votes min. plus unanimous vote of all present to pass</i> ▪ <i>Effective immediately</i> 	<i>No Discussion</i>	<i>Discussion</i>

I. Budget Amendment Ordinances

Budget amendments occur in the Budget Monitoring Process (BuMP) process. However, there may be exceptions from time to time. In these rare cases follow these procedures:

- Have Financial Planning Division (FPD) review the ordinance, Financial Impact Statement (FIS) and backing sheet before it is submitted to a Commissioner-in-charge.
- When approved as to form, FPD will sign off on the backing sheet FIS box.
- Ordinance title should read “Amend the FY ... budget”.
Example: Amend the FY 2005-06 budget to accept a \$50,000 grant from Oregon Department of Transportation for highway Work Zone Enforcement safety program (Ordinance)
- State in the ordinance directive section that the City’s appropriation schedule is being amended.

Grants. In the case of grants, a bureau may submit ordinances to Council to accept grants, but all changes to budget appropriation should be withheld until the bureau’s next BuMP submission.

J. Backing Sheet (See Appendices A-1 and B-1)

The backing sheet for an ordinance is printed on the back of the last (or only) page of the original document. The last page of the ordinance is the page with the signature block. An electronic backing sheet form is available at <http://www.portlandonline.com/auditor/councilclerk> → Form Library. Make sure that all elements are retained. The backing sheet is used to show approvals and, eventually, Council action (votes).

On the backing sheet, in the space provided, the title of the ordinance is typed **exactly** as it appears on page 1 of the ordinance. A 12 point font is preferred for the title, never use less than an 11 point font. An asterisk (*) **must** precede the title if the ordinance has an emergency clause. Include parenthetical material such as: (Ordinance; amend Code Section 33.120) or (Ordinance; amend Contract No. 36966) to assist in tracking.

An example of a backing sheet for an emergency ordinance is included as Appendix A-1. An example backing sheet for a non-emergency ordinance is shown in Appendix B-1.

Type the name of the Mayor, Commissioner or Auditor introducing the ordinance in the section headed "INTRODUCED BY."

The Commissioner or an authorized representative must sign or initial the document on the appropriate line in the "NOTED BY THE COMMISSIONER" section.

In the section headed "BUREAU APPROVAL," type in the requested information and have it signed or initialed by the Bureau head. Be sure to indicate whether or not a Financial Impact Statement has been completed or if the budget is amended. (See Appendix H)

If the ordinance contains binding or non-binding city policy or administrative rule, indicate that it should be included in the Portland Policy Documents. (See Appendix I.)

In the next box, list the expected date the item will come to Council.

In the section headed "AGENDA," check whether the ordinance should be placed on the Regular or the Consent Agenda. Ordinances that increase a bureau's budget or a hearing of any type must be on the Regular Agenda. All other ordinances may be on Consent if no discussion is foreseen.

In the section headed "NOTED BY," additional approvals are sometimes necessary. For instance, City Attorney approval is required for easements, Charter and Comprehensive Plan amendments and Code changes. (The City Attorney approves contracts and contract amendments as to form, usually on the signature page of the contract itself.) The Council Clerk will not place these items on the Agenda without City Attorney signoff.

The rest of the backing sheet should be left blank, as it will be filled in by the Auditor's Office at the time of filing, during the Council meeting, or after Council action.

IV. RESOLUTION FORMAT (See Appendix C)

A resolution is a formal document and is required to contain certain sections. An electronic resolution form is available <http://www.portlandonline.com/auditor/councilclerk> → Form Library. Times New Roman 12 point font is preferred; never use a font less than 11 points. Number pages in the footer (example: Page 1 of 2).

A. Number

The words "RESOLUTION No." should appear at the top of the first page of the resolution. The Auditor's Office will fill in the number after the resolution has been adopted by the Council. If the resolution is more than one page, type the words "RESOLUTION No." at the top of the first page.

B. Title

The next section on the resolution is the title. The title should be a brief statement of the purpose of the resolution and cover at least the major statement or directive. A major purpose of the title is to inform the public, so be brief and summarize what the resolution will do. It should always start with an action verb such as "declare," "create" or "commend."

C. Whereas Section

The next section on a resolution contains a list of paragraphs all starting with the word "WHEREAS." In this section list the reasons for this resolution and provide background and references that will help others understand the resolution and the reasons for its adoption. If references are made to other resolutions, refer to the date of adoption as well as the resolution number.

D. Resolved Section

The next section is the critical one. It should be one or more paragraphs stating exactly what the resolution is doing. It always starts with the words, "NOW, THEREFORE, BE IT RESOLVED," and states the primary or most important purpose first.

If necessary, this paragraph is followed by one or more paragraphs giving additional directives, statements of intent, etc. These paragraphs begin with the words, "BE IT FURTHER RESOLVED."

If the resolution outlines binding city policy, non-binding city policy or administrative rule, it must state so as a separate resolved section as follows: "BE IT FURTHER RESOLVED, This resolution is binding city policy [non-binding city policy or administrative rule]." See Appendix I, Portland Policy Documents.

E. The Lower Left Hand Corner and Signature Block

In the lower left hand corner, the words, "Adopted by the Council" are printed. Below those words, type in the name of the elected official introducing the resolution, the name of the preparer and initials of the typist, and the date prepared.

The Auditor's signature block should be in the lower right hand corner.

Do not use the footer for this section. Headers and footers do not show in our electronic filing system.

F. Exhibits

Documents to be adopted by the resolution, such as reports, etc., are labeled and attached as exhibits. When an exhibit is incorporated by reference, it becomes a part of the resolution.

Only essential information should be referenced as an exhibit. Background information should be presented in a cover memo or distributed to the Council members in a separate document if it does not need to be part of the record.

G. Backing Sheet (See Appendix C-1)

The backing sheet for a resolution is the back of the last (or only) page of the original document. An electronic backing sheet form is available at <http://www.portlandonline.com/auditor/councilclerk> → Form Library. The backing sheet is used to show Council action.

The title of the resolution is typed in the space provided as shown and should **exactly** match the title on page 1 of the resolution. Use 12 point font for the title, never use a font less than 11 point.

Type the name of the Council member or Auditor introducing the resolution in the space titled, "INTRODUCED BY."

The Commissioner or an authorized representative should sign or initial the resolution on the appropriate line in the section headed, "NOTED BY COMMISSIONER."

In the section headed "BUREAU APPROVAL," type in the requested information and have it signed or initialed by the Bureau head. Be sure to indicate whether or not a Financial Impact Statement has been completed or if the budget is amended. (See Appendix H)

If the ordinance contains binding or non-binding city policy or administrative rule, indicate that it should be included in the Portland Policy Documents. (See Appendix I.)

In the next box, list the expected date the item will come to Council.

In the section headed "AGENDA," check whether the resolution should be placed on Regular or Consent. Resolutions may be on the Consent Agenda unless there are people who will be present to testify, a hearing is required, or other reasons dictate.

The section headed "NOTED BY," is used for additional approvals. Example: Any resolution proposing a ballot measure to amend the Charter must be reviewed by the City Attorney. A City Attorney sign off in this box indicates the resolution has been approved.

V. REPORT FORMAT (See Appendix D)

A report is a formal communication to the Council, but is less formal than an ordinance or a resolution. Reports provide information, present specific projects and make recommendations. They are also used to make appointments to boards or commissions, and approve bids or change orders.

A. Report Sections

A report cover memo should be prepared on the letterhead of the Bureau or Office submitting the report to Council.

The body of the report memo should present enough information so members of the Council, the public and the press can understand what the major issues are and what recommendations are being presented. Any documents that are an integral part of the report should be labeled and attached as exhibits. The Commissioner or an authorized assistant should sign the report.

Reports calling for Council to accept completion of a contract should include: **the completion date, the contract amount and any changes as well as the final payment amount and the retainage. Double check that the total amounts given are correct.**

When a report contains specific recommendations, they should be presented in a separate section at the end of the cover memo. This is very helpful to the Council when deciding exactly what action they are being asked to approve. The recommendation should be reflected in the report title.

A commonly used format is a report from the bureau to the Commissioner with a brief transmittal statement at the end from the Commissioner to the Council. The report is placed on the Agenda as a report from the Commissioner, which it is, but the body of the report and all the details are in the form of a report from the bureau to the Commissioner. The report from the Commissioner to the Council usually is worded:

TO THE COUNCIL:

The Commissioner of Public Works concurs with the recommendation of the Director of XYZ Bureau and

RECOMMENDS:

that the Council accept the report.

B. Report Backing Sheet (See Appendix D-1)

The backing sheet for a report is the back of the last (or only) page of the report cover memo. An electronic backing sheet form is available at <http://www.portlandonline.com/auditor/councilclerk> →Form Library. The backing sheet is used to show Council action.

The title of the report is typed in the space provided and should briefly describe the nature of the report. Use 12 point font for the title, never use less than 11 point font. The title should start with an action verb to indicate the recommended disposition:

Accept contract with ABC Co. for renovation of Portlandia as complete, approve Change Order No 1 and make final payment (Report; Contract No. 27701)

Certify abstract of votes for Municipal Non-Partisan Primary Election held on May 19, 1992 (Report)

Transmit results of Portland/Multnomah Commission on Aging study (Report)

Do not begin with the words "A report..."

Type the name of the Council member or Auditor introducing the report in the space titled "INTRODUCED BY".

The Commissioner or an authorized representative should sign or initial the report on the appropriate line in the section headed "NOTED BY COMMISSIONER."

In the section headed "BUREAU APPROVAL," type in the requested information and have it signed or initialed by the Bureau head. Be sure to indicate whether or not a Financial Impact Statement has been completed or if the budget is amended. (See Appendix H.) In the next box, list the expected date the item will come to Council.

In the section headed "AGENDA", check whether the report should be placed on Regular or Consent.

The rest of the backing sheet is completed by the Auditor's Office. Unlike ordinances and resolutions, reports do not receive numbers following Council action and are tracked by their agenda item numbers.

C. Purchasing Reports

The two classifications of Purchasing Reports are Construction and Goods & Services. The Reports consist of the documents listed below:

<u>CONSTRUCTION</u>	<u>GOODS & SERVICES</u>
* Report to Council on Purchases letterhead Backing Sheet is backed to last (or only) page of this memo	* Report to Council on Purchases letterhead Backing Sheet is backed to last (or only) page of this memo
Bid Tabulation Sheet/RFP Scoring Summary	Bid Tabulation Sheet/RFP Scoring Summary
Bureau Recommendation of Award Letter - no backup documentation * Fiscal Impact Statement from Bureau	Bureau Recommendation of Award Letter <i>(if available)</i> - no backup documentation * Fiscal Impact Statement from Bureau
Good Faith Effort Compliance Form Checklist	
* Memo to Mayor	* Memo to Mayor
* Electronic files of these documents are required in addition to the backing sheet	

D. Report Format for Citizen Appointments to Boards and Commissions (See Appendices D-2 and D-3)

As stated in City Charter "The Mayor shall appoint members of boards and commissions subject to Council confirmation" (Charter Section 2-601). As part of the appointment process, Bureaus prepare the Report using the Mayor's letterhead and submit it to the Mayor's office for filing with the Council Clerk. See Appendix D-2 and D-3 for a sample appointment Report and backing sheet.

VI. SUBMISSION OF DOCUMENTS

The Auditor's Office requires that both paper and electronic copies of documents be filed with the Council Clerk via the Commissioners' offices in order for an item to be placed on the Council Agenda.

A. Paper Copies

It is important that all paper originals are submitted on 8-1/2 x 11 paper and are clearly legible so they can be easily photocopied.

- An original (single sided) and 10 copies (double sided) of every document is required.
- Print backing sheet on back of last (or only) page of the original document.
- **DO NOT copy the backing sheet when making your document copies.**
- 3-hole punch copies only. Do not hole punch the original.
- Staple copy sets. Paper clip original set.
- Staff cover memo (if required) and Financial Impact Statement should be last in your copy packets.

The Council Clerk distributes the copies as follows:

Original: City's permanent records. This document is taken to Council and the vote is recorded on it.

Copies:

- | | |
|-----------------------|-------------------------------------|
| 1. Auditor's Office | 6. Commissioner No. 4 |
| 2. Mayor | 7. City Attorney |
| 3. Commissioner No. 1 | 8. Office of Management and Finance |
| 4. Commissioner No. 2 | 9. Press |
| 5. Commissioner No. 3 | 10. Public Copy |

If there are exhibits, they should be attached to the original and each of the 10 copies. When the exhibit is a **contract**, see Section C. below for assembly instructions.

B. Electronic Copies

An electronic copy of every Council document is required. Bureaus should e-mail electronic copies to the office of the Commissioner-In-Charge. The Commissioner's office will be responsible for verifying that the paper and electronic copies match before forwarding them to the Council Clerk. The Council Clerk will not accept electronic copies directly from bureaus.

Email Required elements:

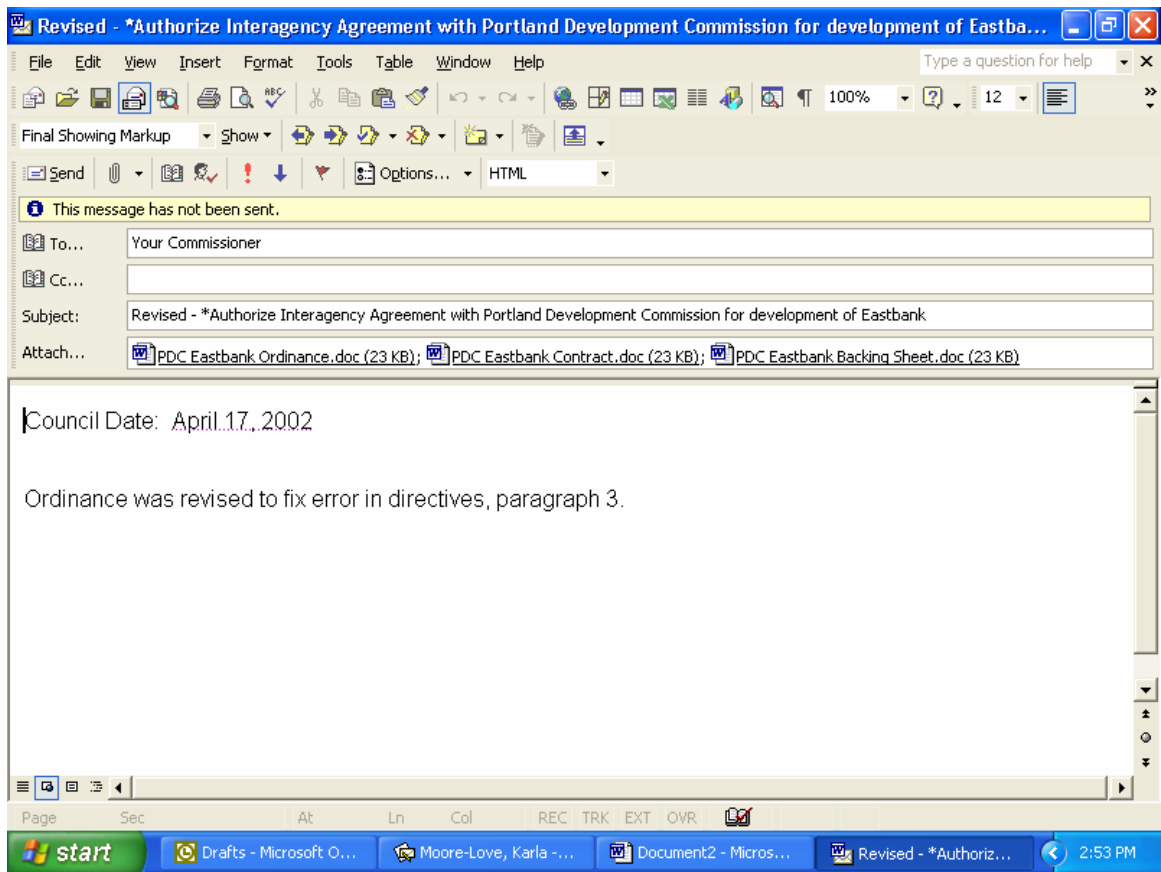
- ✓ Bureaus email only to Commissioner-In-Charge's office.
- ✓ Only one Ordinance, Resolution or Report per email.
- ✓ Subject line: Put in the first line of the ordinance/resolution/report.
- ✓ Council date you want item to be heard.
- ✓ Each document should be a separate electronic file. Example: Ordinance, backing sheet and contract should be sent as separate files. Please be sure to send the actual document and not a link to the document.
- ✓ Filename should identify whether the document is the ordinance, contract, report, etc.
- ✓ Please list documents not available in an electronic format.
- ✓ Most importantly if you revise a council document please resend all the documents and indicate in the regarding line that this is the revised version. Also, include a brief summary of what has changed from the original version.

Electronic Documents No No's

Do not:

- ❖ Use read only format.
- ❖ Use Auto dates. It changes every time you open the file and since the electronic is supposed to be as similar to the hardcopy as possible we can't have that.
- ❖ Have strikethroughs or underlining unless it's going to be in the final document. IE code changes. **If you tracked your changes when producing the document please accept all changes AND hit "Save" before sending it on.**
- ❖ Use form set-ups that do not allow us to correct the document.
- ❖ Send document in template format.
- ❖ Turn document into PDF if it is available in its original format such as Word.
- ❖ Combine documents. IE. Ordinance, Backing Sheet, Contract etc.
Note: By this we do not mean to break up documents like reports. For example, if you have a report and it has a cover sheet, table of contents, reference pages etc please keep this together as one document if at all possible.
- ❖ Use header for "Ordinance No." OR footer for the "Passed/Adopted by Council" and signature block at the bottom of the last page.

See sample email on next page.



C. Contracts

NOTE: The City Attorney requires that ALL contracts and amendments to contracts going before Council be stamped "Approved as to Form" by their office PRIOR to submission to the Auditor's Office.

The City Auditor is responsible for the execution and filing of contracts after they have been passed by the Council. The original and 10 copies of the ordinance and the contract should be filed as above but assembled differently:

1. The original of the ordinance with a **copy** of the contract attached.
2. Two originals of the **contract** already approved by the City Attorney. These are the contracts that will be signed. They will not be executed until all insurance requirements have been met. When executed, both contracts will be returned to the originating bureau.
3. Ten copies of the ordinance with a copy of the contract attached to each one. . . Double-side all copies. Copies should also be three-hole punched.

Amendments to contracts are treated the same as the contracts themselves and also require City Attorney approval as to form. When submitting an amendment it is not necessary to include a copy of the original contract or previous amendments.

A model PTE (Professional, Technical or Expert Services) agreement is available on the Purchasing website at www.portlandonline.com → Agencies Menu→ Purchasing→ Employee Services & Info/Purchasing Forms.

D. City Attorney Approval

Per City Code 3.02.040 (E)(5.b), the City Attorney must approve contracts, amendments to contracts, easements, Code changes, Charter amendments and Comprehensive Plan amendments.

E. Financial Impact Statements (FIS) (See Appendix H)

FIS form is available at Office of Management and Finance site <http://www.portlandonline.com/omf/index.cfm?c=efdcj&> and also through the Council Clerk's page <http://www.portlandonline.com/auditor/councilclerk>, Form Library.

Ordinances and resolutions that have direct or indirect fiscal implications are required to be submitted to Council with a financial impact statement. The FIS should be submitted to your Financial Planning Division analyst with the ordinance or resolution at the time they are submitted to the Commissioner-in-charge.

All major and complex actions, such as rate schedules, must be submitted two weeks prior to filing. All major appropriation adjustments to major object codes or contingency requests should be handled during the next Budget Monitoring Process (BuMP). Contact your budget analyst regarding such transfers. If you need to make a transfer immediately, your analyst can help with the appropriate format and accounting nomenclatures.

VII. COUNCIL PRESENTATIONS

Council Chambers is equipped with an audio/visual system that can accommodate PowerPoint presentations, as well as overheads, VHS and DVD video and audio CDs and cassettes. The system can project your presentation electronically to individual monitors at each Council member's desk. If you are making a presentation for the first time, check with others in your Bureau who have been before Council about what works best.

- **Everyone, including non-City personnel, must use the laptop provided in Council Chambers**
- **Notify the Council Clerk at least one day in advance of your presentation.**
- **Email PowerPoint presentations to the Council Clerk.**
- **If Powerpoint has small print or graphs, provide 7 paper copies for the Council and Clerk's record.**

Regular Council meetings are carried live over cable TV Channel 30 and on the Internet via the City's web page, www.portlandonline.com →Connect to Your City Council. If you need a video record of a presentation, you may tape the meeting yourself, borrow the video tape from the Council Clerk or purchase a copy from Portland Community Media. Audio tapes and closed captioned transcripts are available from the Clerk's Office.

PowerPoint Pointers

The Council monitors were upgraded in the summer of 2005 to 12" flat screens, replacing the previous poor quality monitors. For best results preparers should use LARGE fonts, high contrast colors and keep it simple.

VIII. EFILES INTRANET DOCUMENT SEARCH

Use the Efiles link to find Ordinances and Resolutions. Current documents are uploaded 10-14 days after passage by Council. See Auditor Blackmer's announcement to the Bureaus and the instructions that follow.

Message from City Auditor, Gary Blackmer
Fall 2005
TO: All Bureaus

I am very pleased to announce that the Auditor's Office has installed internet access to its Efiles System for all City employees. There are more than 2 million entries currently in Efiles which cover 154 years of City operations; many of these entries include electronic documents.

The majority of the records are catalog entries – in other words, they contain information *about* the record, such as title, date created and where it can be found. We are committed to electronic archiving and during the past five years we've added more than 30,000 electronic records to our database. Among these you will find photos, scanned pages, and Word documents which you can view, print or download to your computer.

This is a dynamic system; new electronic and catalog records are entered every day. Easy access to Council records will help you research past city activities and policies and build upon previous projects.

<http://www.portlandonline.com/efiles> This link leads to the Efiles system. (Try searching on "testsearch" to see examples of the kinds of entries and files on our system.)

We tried to anticipate your questions in the help files but please contact Tim Hunt, tim.hunt@ci.portland.or.us, if you have problems in using it or accessing it.

We hope you find Efiles a useful tool to help you stay informed about City operations, activities and history.

Gary Blackmer
Portland City Auditor

FOR YOUR EFILES SEARCH – BY ORDINANCE/RESOLUTION NUMBER:

- 1) Go to the Council Clerk's web page "Previous Agendas," click on the Agenda date and check the Disposition column located on the right for your document number.
- 2) Then, put this number in the "Equal To" box in E-Files. The "Search For" box should read "Any Word."

If you do not have the Ordinance/Resolution number, you will need to search by key words. To narrow your search, under "Equal to" box enter your key word(s) followed by "Ordinance" or "Resolution." Under "Sort By", choose "Record Date." Click on "Descending."

IX. DOCUMENT CHECKLISTS

A. ORDINANCES

- Staff Cover Memo if required by Bureau.

ALL DOCUMENTS:

- 1" margin. 12 pt font, Times New Roman. Number pages in footer (ex. Page 1 of 2)
- Paper Original plus 10 copies (DO NOT copy the backing sheet)
Print backing sheet on back of last (or only) page of the original.
Single side Original, double side copies. Paper clip original set; staple copy sets.
- Place Staff Cover Memo (if required) last in the copy packets.
- Three-hole punch copies only, not original
- Electronic copy submitted to Council Clerk VIA Commissioner's Office
- Lower left-hand corner of final page completed
(NOTE: ordinances are "Passed by Council:" at this location)
- Title on backing sheet *exactly* matches title on page 1 of document
- Commissioner's signature on backing sheet in appropriate box
- Bureau Head's signature on backing sheet in appropriate box
- Financial Impact Statement box completed. Sign off by Financial Planning if amends budget.
- Choice of consent or regular agenda marked on backing sheet

IF EMERGENCY:

- Emergency clause in directives
- An asterisk (*) next to the title on page one and on backing sheet

IF EXHIBITS:

- Double-side
- Original attached to ordinance
- Copy attached to each of the 10 ordinance copies
- Electronic copy submitted to Council Clerk VIA Commissioner's Office
If too large to email, submit on CD or email web link.

IF CONTRACT (or contract amendment):

- Approved by City Attorney
- 2 originals of contract or amendment to be signed (bundled together)
- copy of contract or amendment attached to original ordinance
- 10 copies of the contract or amendment attached to 10 copies of the ordinance

IF POLICY:

- Words "Binding" or "Non-Binding Policy" or "Administrative Rule" included in directives
- Portland Policy Document field marked on backing sheet

IF AMENDING CITY CODE:

- First obtain official current Word version from the Code staff –823-4022
- Submit for approval to Attorney's Office and Clerk/Code staff before filing. Allow 2 weeks prior to intended Council session.
- City Attorney's signature on backing sheet

IF COMPREHENSIVE PLAN, EASEMENTS OR FRANCHISES

- City Attorney's signature on backing sheet

B. RESOLUTIONS

- Staff Cover Memo if required by Bureau.

ALL DOCUMENTS:

- 1" margin. 12 pt font, Times New Roman. Number pages in footer (ex. Page 1 of 2)
- Paper Original plus 10 copies (DO NOT copy the backing sheet)
Print backing sheet on back of last (or only) page of the original.
Single side Original, double side copies. Paper clip original; staple copy sets.
- Place Staff Cover Memo (if required) last in the copy packets.
- Three-hole punch copies only, not original
- Electronic copy submitted to Council Clerk VIA Commissioner's Office
- Whereas *and* resolved sections included
- Lower left-hand corner of final page completed
(NOTE: resolutions are "Adopted by Council:" at this location)
- Title on backing sheet *exactly* matches title on page 1 of document
- Commissioner's signature on backing sheet in appropriate box
- Bureau Head's signature on backing sheet in appropriate box
- Financial Impact Statement box completed. Sign off by Financial Planning if amends budget.
- Choice of consent or regular agenda marked on backing sheet

IF EXHIBITS:

- Double-side
- Original attached to resolution
- Copy attached to each of the 10 resolution copies
- Electronic copy submitted to Council Clerk VIA Commissioner's Office
If too large to email, submit on CD or email web link.

IF POLICY:

- Words "Binding" or "Non-Binding Policy" or "Administrative Rule" included in resolved section
- Portland Policy Document field marked on backing sheet

C. REPORTS

- Staff Cover Memo if required by Bureau.

ALL DOCUMENTS:

- Paper Original plus 10 copies (DO NOT copy the backing sheet)
Print backing sheet on back of report memo original.
Single side Original, double side copies. Paper clip original set; staple copy sets.
- Place Staff Cover Memo (if required) last in the copy packets.
- Three-hole punch copies only, not original
- Electronic copy submitted to Council Clerk VIA Commissioner's Office
- First page of report on letterhead of originating bureau or office
- Commissioner's signature on backing sheet in appropriate box
- Bureau Head's signature on backing sheet in appropriate box
- Choice of consent or regular agenda marked on backing sheet

IF EXHIBITS:

- Double-side
- Original attached to report
- Copy attached to each of the 10 report copies
- Electronic copy submitted to Council Clerk VIA Commissioner's Office
If too large to email, submit on CD or email web link.

PURCHASES REPORTS

IF PURCHASING REPORT - CONSTRUCTION:

- Purchases Report to Council*
Backing Sheet is backed to last (or only) page of this memo
- Bid Tabulation Sheet
- Bureau Recommendation of Award Letter– letter only no backup documentation
- Financial Impact Statement from Bureau*
- Good Faith Effort Compliance Form Checklist
- Memo to Mayor*

IF PURCHASING REPORT – GOODS & SERVICES:

- Purchases Report to Council*
Backing Sheet is backed to last (or only) page of this memo
- RFP Scoring Summary
- Bureau Recommendation of Award Letter– (*if available*) letter only no backup documentation
- Financial Impact Statement from Bureau*
- Memo to Mayor*

* Electronic files required from Purchasing in addition to backing sheet

ORDINANCE No. *[assigned by Clerk's office]*

* Authorize contract with ABC Housing Center, Inc. for \$200,000 for the homebuyer assistance and renter housing services and provide for payment (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The ABC Housing Center, Inc has been established to provide homebuyer assistance and rental housing services.
2. The City has been involved in the establishment of the Center and has committed to providing support for the Center in FY2005-2006.
3. The City Council has authorized \$100,000 in the Housing and Community Development Fund for the ABC Housing Center, Inc. for homebuyer and homeowner services, \$60,000 for rental housing coordination and access programs, \$12,000 for Moving Assistance and \$28,000 for the Income-to-Rent Security Fund.
4. The City and the Portland Housing Center, Inc. now desire to enter into a formal contract in the sum of \$200,000.

NOW, THEREFORE, the Council directs:

- a. The Commissioner-in-Charge and Auditor are hereby authorized to enter into a contract with ABC Housing Center, Inc. in a form substantially in accordance with the contract attached as Exhibit A.
- b. The Mayor and City Auditor are hereby authorized to pay for said contract from the Housing and Community Development CDBG and General Funds.

Section 2. The Council declares that an emergency exists because delay in funding would interrupt ABC Housing Center's ability to provide the homebuyer and rental housing services; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: *[dated by Clerk's office]*

Commissioner [Name]
Prepared by: [Your Name]
Date Prepared: [Date]

GARY BLACKMER
Auditor of the City of Portland
By *[signed by Clerk's office]*

Deputy

Agenda No. [assigned by Clerk's office]
ORDINANCE NO. [assigned by Clerk's office]
 Title

*Authorize contract with ABC Housing Center, Inc. for \$200,000 for the homebuyer assistance and renter housing services and provide for payment (Ordinance)

INTRODUCED BY	CLERK USE: DATE FILED _____
[Commissioner Name]	Gary Blackmer Auditor of the City of Portland
NOTED BY COMMISSIONER	
Mayor—Finance and Administration	By: _____
Position 1—Utilities	Deputy
Position 2—Works	
Position 3—Affairs	ACTION TAKEN:
Position 4—Safety [Commissioner Signature]	
BUREAU APPROVAL	
Bureau: [Bureau]	
Prepared by: [Your name] Date Prepared: [date]	
Financial Impact Statement <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required	
Portland Policy Document If "Yes," requires City Policy paragraph stated in document. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Council Meeting Date [date]	
Bureau Head: [Director's sig or initials] [Name], Director	

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
				YEAS	NAYS
Consent <input checked="" type="checkbox"/>	Regular	1. Fritz	1. Fritz		
NOTED BY		2. Fish	2. Fish		
City Attorney [Sig/initial if required]		3. Saltzman	3. Saltzman		
		4. Leonard	4. Leonard		
		Adams	Adams		

ORDINANCE No. *[assigned by Clerk's office]*

Amend an Intergovernmental Agreement with the University of Washington for additional services to enhance and provide maintenance and training for the Portland Water Bureau Supply and Transmission Model and provide payment (Ordinance; amend Contract No. 12345)

The City of Portland ordains:

Section 1. The Council finds:

1. The City entered into Contract No. 12345 on May 18, 2002 with the University of Washington (UW) to provide engineering consulting services to provide maintenance and training for the Portland Water Bureau's Supply and Transmission Model (STM).
2. The original Contract authorized the City to negotiate services with the UW for Phase 1 to enhance and provide maintenance and training for the Water Bureau's supply and Transmission (STM). Included in the original contract were provisions to retain UW for Phase 2 of the project. The City now requires additional services to complete tasks 9, 10, and 11 per original scope of work.
3. An amount not to exceed sum of \$29,200 as proposed by the UW for additional services is considered reasonable and proper compensation, bringing the total Contract Amount to \$64,481.
4. Funding for this project is included in the Bureau's FY 2005-2006 budget.
5. Appropriations to enhance and provide maintenance and training for the Portland Water Bureau's Supply and Transmission Model (STM) are included in the Bureau's FY 2001-2002 budget and Capital Improvement Program.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge and Auditor are authorized to execute an amendment to Contract No. 12345 between the City and the University of Washington (UW) as outlined in a form substantially in accordance with the contract attached as Exhibit A, at a cost not to exceed \$29,200.
- b. The Mayor and the Auditor hereby are authorized to draw and deliver checks chargeable to the FY 2005-2006 Budget, Account 521000, Project No. 4567, Center Code 18089944, when demand is presented and approved by the proper authorities.

Passed by the Council: *[dated by Clerk's office]*

Commissioner [Name]
Prepared by: [Your Name]
Date Prepared: [Date]

GARY BLACKMER
Auditor of the City of Portland
By *[signed by Clerk's office]*

Deputy

Agenda No. [assigned by Clerk's office]
ORDINANCE NO. [assigned by Clerk's office]
 Title

Amend an Intergovernmental Agreement with the University of Washington for additional services to enhance and provide maintenance and training for the Portland Water Bureau Supply and Transmission Model and provide payment (Ordinance; amend Contract No. 12345)

INTRODUCED BY	CLERK USE: DATE FILED _____
[Commissioner Name]	Gary Blackmer Auditor of the City of Portland
NOTED BY COMMISSIONER	By: _____ Deputy ACTION TAKEN:
Mayor—Finance and Administration	
Position 1—Utilities	
Position 2—Works	
Position 3—Affairs	
Position 4—Safety [Commissioner Signature]	
BUREAU APPROVAL	
Bureau Water Bureau	
Prepared by: [Your name] Date Prepared: [Date]	
Financial Impact Statement <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required	
Portland Policy Document If "Yes," requires City Policy paragraph stated in document. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Council Meeting Date [month-day-year]	
Bureau Head: [Director's sig or initials] [Name], Director	

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
				YEAS	NAYS
Consent <input checked="" type="checkbox"/>	Regular	1. Fritz	1. Fritz		
NOTED BY		2. Fish	2. Fish		
City Attorney [Sig/initial if required]		3. Saltzman	3. Saltzman		
		4. Leonard	4. Leonard		
		Adams	Adams		

RESOLUTION No. *[assigned by Clerk's office]*

Adopt the recommendations in the Killingsworth Street Improvements Planning Project Final Report (Resolution)

WHEREAS, Killingsworth Street is identified in the Albina Community Plan and Humboldt Neighborhood Plan as a key commercial corridor containing neighborhood services and destinations; and

WHEREAS, Killingsworth Street is designated a Main Street and Station Community in the Metro 2040 Plan and a Community Main Street in the Transportation System Plan; and

WHEREAS, residents, business owners and area institutions are working with the Bureau of Housing and Community Development, Portland Development Commission and the Portland Office of Transportation to transform a cycle of dis-investment on Killingsworth Street into a revitalized community Mainstreet; and

WHEREAS, Killingsworth Street is an important commercial and residential corridor serving North and Northeast Portland, and a transit and pedestrian route connecting to the new Interstate Max light rail; and

WHEREAS, through Ordinance #176483 the Council authorized the application for a Transportation and Growth Management (TGM) Grant for this and other TGM projects; and

WHEREAS, the Killingsworth Street Improvements Planning Project creates a streetscape concept plan and new streetlight standards and design guidelines for Killingsworth Street between North Interstate Avenue and Northeast Martin Luther King Jr. Boulevard; and

WHEREAS, the Killingsworth Street Improvements Planning Project creates a public investment strategy for the street in order to improve the quality of the street for local businesses and residents and help strengthen the connection between Killingsworth Street, the Interstate MAX light rail, the surrounding community, and major destinations such as Portland Community College Cascade Campus; and

WHEREAS, the plan identifies the type and location of street improvements including trees, sidewalk improvements and curb extensions, ornamental streetlights, pedestrian crossings, and enhanced transit stops; and

WHEREAS, more than 1000 community members contributed to this highly participatory planning process and the Killingsworth Community Advisory Committee recommends the adoption the Killingsworth Street Improvements Planning Project Final Report;

NOW, THEREFORE, BE IT RESOLVED, that the City of Portland adopts the Killingsworth Street Improvements Planning Project Final Report as Non-Binding City Policy attached as Exhibit A; and

BE IT FURTHER RESOLVED, that staff is directed to engage in activities aimed at implementing the improvements described in the Killingsworth Street Improvements Planning Project Final Report; and

BE IT FURTHER RESOLVED, that the City Council gratefully acknowledges the excellent work and dedication of the Killingsworth Community Advisory Committee and other community members who participated in the planning process.

Adopted by the Council: *[dated by Clerk's office]*

Commissioner [Name]
Prepared by: [Your Name]
Date Prepared: [Date]

GARY BLACKMER
Auditor of the City of Portland
By *[signed by Clerk's office]*

Deputy

Agenda No. *[assigned by Clerk's office]*
RESOLUTION NO. *[assigned by Clerk's office]*
 Title

Adopt the recommendations in the Killingsworth Street Improvements Planning Project Final Report
 (Resolution)

INTRODUCED BY	CLERK USE: DATE FILED _____
[Commissioner Name]	Gary Blackmer Auditor of the City of Portland
NOTED BY COMMISSIONER	
Mayor—Finance and Administration	By: _____ Deputy
Position 1—Utilities	
Position 2—Works	
Position 3—Affairs	ACTION TAKEN:
Position 4—Safety <i>[Commissioner Signature]</i>	
BUREAU APPROVAL	
Bureau: [Bureau]	
Prepared by: [Your Name] Date Prepared: [date prepared]	
Financial Impact Statement <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required	
Portland Policy Document If "Yes," requires City Policy paragraph stated in document. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Council Meeting Date <i>(date)</i>	
Bureau Head: <i>[Director's sig or initials]</i> [Name], Director	

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
				YEAS	NAYS
Consent	Regular X	1. Fritz	1. Fritz		
NOTED BY		2. Fish	2. Fish		
City Attorney <i>[Sig/initial if required]</i>		3. Saltzman	3. Saltzman		
		4. Leonard	4. Leonard		
		Adams	Adams		



PORTLAND FIRE & RESCUE



Randy Leonard, Commissioner
John Klum, Chief
Columbia Square
111 SW Columbia St., Suite 650
Portland, Oregon 97201
(temporary location)
(503) 823-3700
Fax (503) 823-3710

REPORT TO COUNCIL

January 21, 2009

To: Commissioner Randy Leonard
From: John Klum, Fire Chief

Subject: Accept the Report on Budget Notes Inspections Plan and Apparatus Replacement Schedule

The FY 2008-09 Adopted Budget Notes state:

“Portland Fire & Rescue will develop a plan for Council review by October 2008 to meet its inspections target with the bureau’s FY 2008-09 resources.”

“Portland Fire & Rescue will review its apparatus replacement schedule for possible extension of age or mileage criteria and report to Council by December 2008.”

The number of fire code enforcement inspections completed during FY 07-08 was 26% below targeted goals. The purpose of this report is to describe the steps taken to-date to address the shortfall, plans for additional enhancements, and ongoing challenges.

Due to prior budget cuts and recent price increase, PF&R is not able to carry out its 15-year-or 100,000-mile apparatus replacement standard given its current budget. In response to the apparatus replacement budget note, Portland Fire & Rescue (PF&R) has completed a preliminary review of its apparatus replacement schedule and proposes extending the mileage criterion to 120,000 from 100,000 miles to mitigate the apparatus replacement budget shortfall.

We recommend that Council accept the report.

[Signature]

John Klum, Fire Chief

TO THE COUNCIL

The Commissioner of Public Safety concurs with the recommendations of the Chief of Portland Fire & Rescue and

RECOMMENDS:

That the Council accept the report.

Respectfully submitted,

Randy Leonard
Commissioner of Public Safety

Agenda No. [assigned by Clerk's office]

REPORT

Title

Accept report on Budget Notes Inspections Plan and Apparatus Replacement Schedule (Report)

INTRODUCED BY	CLERK USE: DATE FILED _____
[Commissioner Name]	Gary Blackmer Auditor of the City of Portland
NOTED BY COMMISSIONER	
Mayor—Finance and Administration	By: _____ Deputy
Position 1—Utilities	
Position 2—Works	
Position 3—Affairs [Commissioner Signature]	ACTION TAKEN:
Position 4—Safety	
BUREAU APPROVAL	
Bureau: [Bureau]	
Prepared by: [Your Name] Date Prepared: [Date]	
Financial Impact Statement <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required	
Council Meeting Date [date]	
Bureau Head: [Director's sig or initials] [Name], Director	

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
				YEAS	NAYS
Consent	Regular <input checked="" type="checkbox"/>	1. Fritz	1. Fritz		
NOTED BY		2. Fish	2. Fish		
City Attorney [Sig/initial if required]		3. Saltzman	3. Saltzman		
		4. Leonard	4. Leonard		
		Adams	Adams		



Office of Mayor Sam Adams

City of Portland

[Date prepared]

As Mayor and Commissioner of Finance & Administration, I request Council confirmation of the following appointment to the [Board or Commission]:

<u>Appointment</u>	<u>Term</u>	<u>Replacing</u>
[Name]	[Dates]	[Name]
[Name]	[Dates]	[Name]

Reappointment [Name]	[Dates]
-------------------------	---------

Respectfully submitted,

Sam Adams
Mayor

Note to Bureaus: The City Charter states “The Mayor shall appoint members of boards and commissions subject to Council confirmation.” Please prepare your Report as above using the Mayor’s letterhead and submit to the Mayor’s office for filing with the Council Clerk.

Use the Report format for all appointments except Housing Authority, Metro Expo/Rec Commission (MERC), Children’s Investment fund, IPR Citizen Review Committee, Citizens Campaign Committee and FPD&R Trustee. These are made in Resolution format per City Code and/or ORS.

APPENDIX D-3
Sample Appointment Report Backing Sheet

Agenda No. [assigned by Clerk]
REPORT
 Title

Appoint [Name] to the [Board or Commission] for term to expire [date] (Report)
 [or: Reappoint...]

INTRODUCED BY	CLERK USE: DATE FILED _____
Mayor Sam Adams	Gary Blackmer Auditor of the City of Portland
NOTED BY COMMISSIONER	
Mayor—Finance and Administration [<i>Mayor's signature</i>]	By: _____ Deputy
Position 1—Utilities	ACTION TAKEN:
Position 2—Works	
Position 3—Affairs	
Position 4—Safety	
BUREAU APPROVAL	
Bureau: Office of the Mayor	
Prepared by: Date Prepared:	
Financial Impact Statement: Completed <input checked="" type="checkbox"/> Not Required	
Council Meeting Date	
Bureau Head: Mayor Sam Adams	

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
				YEAS	NAYS
Consent	Regular <input checked="" type="checkbox"/>	1. Fritz	1. Fritz		
NOTED BY		2. Fish	2. Fish		
City Attorney [<i>Sig/initial if required</i>]		3. Saltzman	3. Saltzman		
		4. Leonard	4. Leonard		
		Adams	Adams		

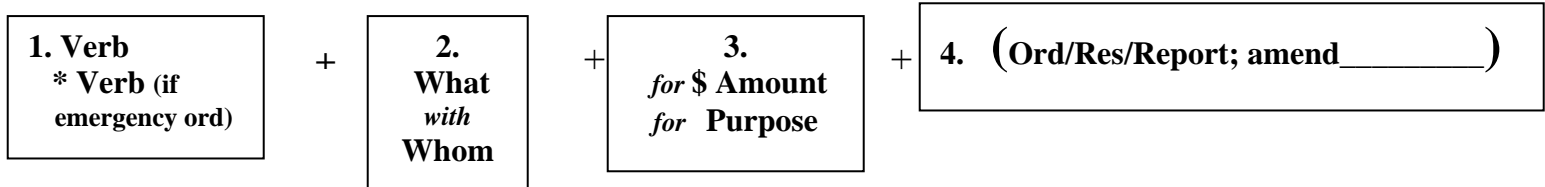
TITLE DRAFTING INSTRUCTIONS

The Clerk’s office has developed a Title style to promote an agenda that is easy to read and uniform in appearance. Please follow these guidelines when writing your document titles.

Step #1. If your current ordinance/resolution is an update or amendment of an earlier document, go to the “Efiles” data base at www.portlandonline.com/efiles and look up the previous document. This document will have the title *AS EDITED* by the Clerk’s office. Simply copy and update the title for your new ordinance.

Step #2. For new documents, follow these rules and use the formula for writing titles.

- No acronyms or abbreviations for companies, bureaus or programs. Use full business names (use of Inc., Co. and LLC are ok). Acronyms are fine to use within the document, but not in the title.
- Use “City” instead of “City of Portland”
- No gerunds (amending, substituting, contracting, etc.)
- Use “St”, “Ave”, “Blvd” for “Street”, “Avenue”, “Boulevard”
- Avoid possessive nouns. For “City’s,” “Department’s,” “Great Program’s” use “City”, “Department”, “Great Program.”
- Do not capitalize every word. No underlining, italics or bolding.
- Use an asterisk [*] to indicate an emergency ordinance.



1. Start with an active verb: Authorize, Accept, Amend, Extend, Increase, Adopt, Appoint, Apply, etc.

2. What is it: contract, bid, report, easement, etc.

with Whom: Name of citizen, corporation, or government entity.

3. How much will it cost and what is the purpose?

4. Identification data in parentheses

(Ordinance, Resolution, Report or Presentation) If applicable add “;[semi-colon] amend” followed by “Contract No. xxxxx”, “Code Section xx.xx” , “Ordinance No. xxxxxx”, etc.

See the following pages for sample titles.

AMEND THE BUDGET

Amend the FY 2005-06 budget to accept a \$50,000 grant from Oregon Department of Transportation for highway Work Zone Enforcement safety program (Ordinance)

AMEND THE CODE

Require owners of rental dwelling units to provide garbage receptacles and garbage collection service (Ordinance; amend Code Chapter 29.50)

Adjust pH upper limits for discharges to the sewer system (Ordinance; amend Code Chapter 17.34)

*Add the Black United Fund of Oregon and the International Service Agencies to the list of voluntary payroll deductions (Ordinance; amend Code Section 5.08.140)

Establish Wildfire Hazard zones to regulate types of roofing materials (Ordinance; amend Title 24, add Code Chapter 24.51)

AMEND A CONTRACT

Amend contract for public information services with Talk of the Town, Inc. to extend term and increase compensation due to project extension (Ordinance; amend Contract 1234)

*Extend contract with Wynotta Inc. for seismic inspection of bridges (Ordinance; amend Contract No. 27877)

*Increase contract with OTAK, Inc. to raise the cost ceiling by \$4,613 for design of the NE Lombard Street Interceptor project (Ordinance; amend Contract No. 23679)

*Amend lease agreement with the Portland Development Commission for space in the Portland Building (Ordinance; amend Agreement No. 50331)

AMEND AN ORDINANCE

Revise the legal description to clarify the portion of SE Platt Ave to be vacated (Ordinance; amend Ordinance No. 174981)

APPOINTMENTS and REAPPOINTMENTS TO BOARDS OR COMMISSIONS

Confirm appointment of Amy Jones to the Portland-Multnomah Sustainable Development Commission for a term to expire June 1, 2003 (Report)

Reappoint Joe Blow to the Noise Review Board for a term to expire January 31, 2006 (Report)

Confirm appointment of Linda Baumgartner and reappointment of Daniel M. Knauss for terms to expire March 14, 2005 to the Purchasing Board of Appeals (Report)

CONTRACTS, INTERGOVERNMENTAL AGREEMENTS

*Authorize contract with Technology Management Group, Inc. for mainframe computer capacity planning assistance at \$13,125 and provide for payment (Ordinance)

*Authorize contract with Dr. Nicholas G. Baer, Dr. Thomas J. Grizzly, and Richard H. Brown, to conduct an expert review of the water quality monitoring program in the Bull Run Watershed and transfer funds (Ordinance)

*Authorize an Intergovernmental Agreement with Portland Community College for the City Workforce Training and Hiring Program (Ordinance)

Authorize contract with Portland Business Alliance for crime prevention services in the downtown area of the City for the period of July 1, 2002 through June 30, 2003 and provide for payment (Ordinance; waive Code Section 5.68)

Authorize a contract with the lowest responsible bidder for the Mocks Bottom Pump Station Remodel Project No. 5375 (Ordinance)

Contract Evaluation and Contract Complete Reports

Transmit evaluation report on contract with Walsh Construction Company for the addition and remodel of the Portland Communications Center Project (Report; Contract No. 33014)

Accept contract with Walsh Construction Company for the addition and remodel of the Portland Communications Center Project as complete, authorize final payment and release retainage (Report; Contract No. 33014)

Subrecipient Contract (grants)

Authorize subrecipient contract with Portland Housing Center for \$107,242 for homebuyer education and counseling services and provide for payment (Ordinance)

Contract Amendments – See page 37

LAND USE ORDINANCES

*Amend the Comprehensive Plan Map and change the zone of property at 3032 SE Belmont from R1, residential, to C2, commercial to allow expansion of existing grocery store (Ordinance; LU 06-012345 CP ZC)

PERSONNEL - UNION CONTRACTS

Authorize a labor agreement with Laborers' Local 483 for terms and conditions of employment of represented employees in the Recreation bargaining unit (Ordinance)

PRESENTATIONS AND CEREMONIES

Welcome new firefighter trainees and paramedics (Presentation)

Announce recipient of the Lowenstein Trust Award for 1994 (Presentation)

PROPERTY CONVEYANCE

Authorize agreement for acquisition of 2.7 acres owned by William Howard and Jerry Gravett located in the Johnson Creek floodplain (Ordinance)

Declare surplus property south of SE Franklin St and authorize sale to Samuel G. Sauter (Ordinance)

PURCHASES

PURCHASES - CONSTRUCTION

Accept bid of Triad Mechanical, Inc. for the Mocks Bottom Pump Station Remodel project for \$687,360 (Purchasing Report – Bid No. 108140)

Accept bid of Dunn Construction for the Sellwood Reliever Sewer project for \$2,787,538 (Purchasing Report - Bid No. 107775)

Accept bid of James W. Fowler Company for the Columbia Blvd Wastewater Treatment Plant Co-Generation Facility project for \$4,274,795 (Purchasing Report – Bid No. 107062)

Accept bid of P.C.R. Inc. for the Patton Square Park Improvements for \$562,000 (Purchasing Report - Bid No. 107379)

APPENDIX E

Adopt findings, authorize an exemption to the competitive bidding process to the Bureau of Purchases pursuant to ORS 279 and City Code 5.34 and provide payment for construction of the Council Crest Park Tower Replacement Design-Build Project (Ordinance)

Authorize contract with New Horizons Communications, Inc. for construction of the Council Crest Park Tower Replacement Design-Build Project (Purchasing Report – RFP No. 107853)

PURCHASES - GOODS & SERVICES

Authorize a purchase order with McRobert Motor Company doing business as Gresham Ford to furnish Ford Crown Victoria Police Interceptors for the contractual amount of \$1,118,101 (Purchasing Report)

Authorize a contract with Fitz Enterprises dba Star Oilco to furnish biodiesel and ultra low-sulfur diesel motor fuels for City Fleet Services with a five-year contractual value not to exceed \$9,000,000 (Purchasing Report – RFP No. 106848)

Authorize a five-year price agreement with Pierce Manufacturing, Inc. to furnish seven triple combination pumpers for Portland Fire and Rescue with an estimated one-year contractual amount of \$3,691,401 (Purchasing Report - Bid No. 105909)

Authorize a contract with Portland Habilitation Center, Inc. for janitorial services in eighteen Community Centers for the Bureau of Parks & Recreation for a contractual amount of \$566,903 (Purchasing Report)

REPORTS

Accept report and recommendations of the Excellence in Government Task Force (Report)

Request from Historic Landmarks Commission for approval of demolition delay extension on proposal to demolish the Coquille Hotel at 622 SW Stark (Report)

Accept completion of the Hayden Island wastewater pressure lines project, approve change order and pay \$35,400 to Reidel International Inc. (Report; Contract No. 24539)

Accept completion and Alternative Contracting Process for University Park Community Center, authorize final payment and release retainage to Pacific Coast Construction (Report; Contract No. 32888)

RESOLUTIONS

Declare the purpose and intention of the City to construct Housing and Community Development street and storm sewer improvements in the SE Lafayette/78th Ave Local Improvement District (Resolution; C-9676)

Approve free speech policy for Pioneer Courthouse Square (Resolution)

Designate City Council as a Strategic Planning Committee and create criteria for evaluation of programs that affect City policy (Resolution)

REVOCABLE PERMITS

*Grant revocable permit to David Evans and Associates, Inc. to construct a sunken courtyard entrance in SW Corbett Ave and an emergency door and retaining structure in SW Arthur St (Ordinance)

*Grant revocable permit to Jake's Famous Crawfish/McCormick & Schmick to close SW Stark between 12th and 13th Avenues on March 16, 2003 through March 18, 2003 (Ordinance)

STREET VACATIONS

Vacate a portion of SW Freeman St east of SW 19th Avenue subject to certain conditions and reservations (Hearing; Ordinance; VAC 10021)

PREPARING CODE AMENDMENT ORDINANCES

NOTE: Please review the Form and Style Manual (Appendix G, which follows), before preparing Code amendment ordinances. Ordinances adding and amending sections of the Code must follow these guidelines and must obtain City Attorney and Auditor's approval prior to placement on the Council Agenda. Remember that Code ordinances must be filed two weeks before the Council date. (Do not make distribution copies until you have received approval).

The entire City Code is available on the Internet in a searchable format, accessible through <http://www.portlandonline.com/auditor/code>. As with all other Council documents, code amending ordinances must be submitted to the Council Clerk in electronic format through the office of your Commissioner-In-Charge. **Request a copy of the current Word version from the Code staff – 823-4022 – for drafting your code change.**

Code may be amended in the following ways: Changes / Repeals / Additions / Substitutions

1. CHANGES: The text is changed by deletions or by new wording.

As a general rule, changes should be handled as follows:

Existing text is deleted by using ~~strikeouts~~.

New text is underlined.

Do not use Microsoft Word “track changes” feature.

EXAMPLE:

NOW, THEREFORE, the Council directs:

Section 33.701.110(b), Planning and Zoning, is amended as follows:

(b) ~~Rotating and animated signs~~ Signs with rotating or moving parts are not permitted ~~allowed~~.

NOTE: DO NOT use bold, highlights or brackets in lieu of strikeouts and underlining.

2. REPEALS: A subsection, section or chapter is removed from the code, not to be replaced. If an entire subsection, section or chapter is involved, indicate sections or subsections to be repealed by number or letter. One sentence will clearly indicate your intent.

EXAMPLE:

NOW, THEREFORE, The Council directs:

- a. Subsection 22.04.020 is hereby repealed.

3. **ADDITIONS:** A new subsection, section or chapter is added. Do not underline text of entire Chapters, sections and subsections when adding to the City Code. Instead, identify it as added text in your instructions. Identify the additions by number or letter.

EXAMPLE:

NOW, THEREFORE, the Council directs:

- a. City Code Chapter 3.02 is amended by **adding** a new section follows:

2.04.030 Pre-election Publication. No city voters' pamphlet shall be required for an election subject to this chapter unless:

4. **SUBSTITUTIONS:** An entire title or chapter is repealed and replaced with a new one. Express substitution in the instructions instead of using brackets or underlining.

EXAMPLE:

NOW, THEREFORE, the Council directs:

- a. Title 16 of the City Code, Vehicles and Traffic, is hereby amended by substituting the following chapter for existing Chapter 16.40:

Chapter 16.40, Parades and Processions

16.40.010 Purpose The purpose of this chapter is to provide regulation of special events requiring the use of City services and public streets.

16.40.020 Permit Required A permit is required

5. MISCELLANEOUS:

Indexes, etc.

Include section titles for the Chapter Index if new sections are being added/deleted.

Example:

33.81.010 Purpose

33.81.020 Definitions

33.81.030 ~~Resident~~Occupancy

33.81.040 Density

33.81.050 Design

Renumbering: If text is deleted or added, which requires renumbering of subsequent text, it should be noted in the ordinance.

NOTE: When preparing a Code amendment ordinance, changes should be included in the body of the ordinance with the exception of major changes, i.e. entire rewrites of Code Chapters. These may be attached as a separate exhibit but must be referenced as an Exhibit in the ordinance itself.

**FORM AND STYLE MANUAL
DRAFTING ORDINANCES FOR THE
CODE OF THE CITY OF PORTLAND, OREGON**

City Auditor's Office

INTRODUCTION

The purpose of this manual is to provide form and style guidelines that can be used to draft ordinances adding and amending sections of the Portland City Code.

This manual supplements the “United States Government Printing Office Style Manual,” 2000 Edition; the “Form and Style Manual for Legislative Measures of the Oregon Legislative Assembly,” 1999 Edition; and the “Webster's New Collegiate Dictionary” (for word spelling). These references should be consulted for questions not covered in this manual.

Drafters of ordinances proposing new sections and amendments to the Code of the City of Portland are expected to follow the guidelines in this manual. Ordinances that are materially deficient in this regard will be returned to the originating Bureau for correction prior to placement on the Council agenda.

This manual is intended primarily as a style and format guide for the City Code and Ordinances amending the Code. Some specific preparation details for ordinances proposing Code changes are included in this manual (i.e., submission of key word identifiers for index, treatment of charts and graphs, etc.).

The City Code is published on the Internet and is available via the Auditor's web page. Electronic copies of current Code titles are also available from the Auditor's Office to assist you in preparation of Code-amending ordinances. If you would like an electronic copy or have questions regarding Code format, please contact Code staff at 823-4022.

If you have questions about this manual or would like extra copies, contact the Auditor's Office Council Division at 823-4086 or 823-4085.

CODE LAYOUT

Major divisions of the Code: The Portland City Code is organized into Titles, Chapters and Sections. A Title generally encompasses one broad subject; for example, Title 5 covers Revenue and Finance. Major divisions within Titles are called Chapters, and divisions within Chapters are called Sections.

On the first page of a Title is a Table of Contents that lists all the Chapter headings in the Title. If a chapter has more than one Section, the Chapter also begins with a table of contents of all Sections within that particular Chapter. (There is no Chapter Table of Contents if there is only one Section in the Chapter.)

Numbering of Sections: The numbering system consists of three parts. The first part is the Title number, the second part is the Chapter number, and the third part is the Section number. For example, Section 33.11.010 is Section 010 of Chapter 11 of Title 33.

As a general rule, Section numbers are ten points apart (for example, 12.06.010, 12.06.020, etc.). New Sections added are generally sequenced where appropriate in between the ten-point sections in divisions of five (for example, 12.06.010, 12.06.015, 12.06.020, etc.). When Sections are already sequenced in groups of five, new Sections can be added as 12.06.011, 12.06.012, 12.06.013, etc. Sections in new Chapters should have a ten-point spread so there is room for new Sections in later amendments.

Numbering within Sections: The following standard outline sequence should be used when adding, amending, or replacing Code sections:

- A. subsection
 - 1. paragraph
 - a. sub-paragraph
 - (1) sub-sub-paragraph
 - (a) sub-sub-sub-paragraph
 - (i) sub-sub-sub-sub-paragraph

Template: A MS Word template is available for preparing Code amendments. Please contact Code staff at 823-4022.

CODE ORDINANCE PREPARATION

Referring to Divisions in the Code: When referring to divisions in the Code, use the entire reference number. For example, "see Chapter 12.06" (Chapter 6 of Title 12). The entire Section number should be recited when referring to Code Sections (for example, "see Section 12.06.010").

Always refer to the specific paragraph, subsection, or Section. Do not use such terms as herein, above, foregoing, etc., in referring to any portion of the Code.

When referring to a division in the Code, make sure the division has not been repealed or altered.

Treatment of Maps, Charts, Graphs, Drawings, etc.: Graphics, such as maps, charts, graphs, illustrations or drawings may be included in the Code. They should be submitted "camera ready" as to size and reproduction quality and in electronic format. Their size must conform with the 8-1/2 by 11 inch limitation for Code inclusion.

City Attorney Review: All Ordinances proposing changes to the City Code must **first** be reviewed by the City Attorney's Office before submission to the Auditor's Office for placement on the City Council Agenda.

Code Review Deadline: See Filing/Deadlines. Code amending ordinances are due to the Auditor's Office two weeks prior to the intended Council session.

Definitions: Definitions should usually be placed in a separate Section at the beginning of each Chapter. Any phrase or word in the Code that is not self-evident should be clearly defined.

Masculine/Feminine Gender: City Ordinance No. 156680 requires that amendments to the City Code not include terms that are masculine or feminine, unless otherwise required in the context of the Code. Examples of terms that are neither masculine or feminine are "Chair" or "Chairperson, fire fighter," and "police officer." In addition, gender-specific pronouns, such as he, she, his, hers, should not be used, unless applicable to the context of the Code.

SENTENCE CONSTRUCTION

Use **PLAIN ENGLISH**. Use short, concise, grammatically correct sentences.

Avoid archaic vocabulary. Avoid the following words wherever possible.

aforesaid	thereabout
forthwith	thereafter
hereafter	thereby
herein	therefor
hereof	thereupon
heretofore	therewith
herewith	whereas (except in resolution)
thence	whereby

Avoid complex sentences. Make the subject-verb relationships clear by putting the subject and verb as close together as possible.

Use active verbs

Write sentences to show clearly who does what.

Original: A written report should be submitted by the committee.

Revised: The committee should submit a written report.

Watch for verbs disguised as nouns.

Original: The task force stated a request for immediate action.

Revised: The task force requested immediate action.

Use brief sentences in the text and only one sentence in the title.

Find ways to express one thought per sentence.

Original: Jones Co. is the contractor and the contract was signed on June 4.

Revised: Jones Co. is the contractor. The contract was signed on June 4.

SPELLING

Spelling Reference: Refer to “Webster's New Collegiate Dictionary” for the spelling, compounding and dividing of words.

Preferred Spelling List: The following is a preferred spelling list of commonly-used words:

accommodation	acknowledgment	center line
competitive	fire fighters	judgment
monies	occurrence	roof line
secondhand	stormwater	supersede
watercourses	waterfront	willful

Words With Similar Spelling: The meanings of certain words with similar spelling are frequently confused. For example:

Affect -verb -to influence; to stir emotions; to change.
The new ordinance will not affect the neighborhood.

Effect -noun -a result, an impression.
The effect of the new ordinance is unknown.

Effect -verb -To cause, to bring about.
The ordinance will effect many changes in the community.

Biennially -every two years.
Biannually -means twice a year.

Farther -increased distance.
Further -extension of time, quantity or degree.

Precede -to go before.
Proceed -to carry on.

Ensure -make certain.
Insure - protect against loss.
Assure - give someone confidence.

"Non" Words: As a general rule, all "non" words in the Code are spelled as one word, without a hyphen. Some examples are nonresidence, nonrefundable.

Percent: Percent is one word and is spelled. The percent sign, %, may be used in tables.

Degrees: Fahrenheit and Celsius should be written (except in footnotes and tables). Example: 150 degrees Fahrenheit.

CAPITALIZATION

What to Capitalize:

Proper names.

Derivatives of proper names used with a proper meaning: Such as “the City” when referring to the City of Portland and the “Council” when referring to the Council of the City of Portland, Oregon.

The full official title of a bureau or administrative division: Such as “Water Bureau,” “Treasury Division.”

The full official title of an officer: Such as “Commissioner of Public Works,” “City Engineer.” “Chief of Police.”

Specific references to particular sections of the City Code or other documents: Such as “Title 33,” “Section 1.06.020.”

Months and days of the week.

The proper name of funds or accounts: Such as the “General Fund.”

The proper names of boards, commissions, committees or associations: Such as “Civil Service Board,” “Planning Commission,” “Ash Creek Neighborhood Association.”

The name of a region or specific locality: Such as “State of Oregon” “East Portland,” “Columbia Gorge” or “West Burnside Street.”

Trade names: Such as “Foamite” or “Plexiglass.”

Titles of all publications, maps, documents and papers: Such as “City Code,” “City Charter,” “Water Features Map” and “Comprehensive Plan.”

Names of specific land-use planning zones and goals: Such as “V Zone,” “RH Zone,” “Statewide Planning Goal 15,”

Names of historic events and titles of acts, laws, etc.: Such as “Walsh-Healey Act.”

“City Charter” and “Comprehensive Plan.”

The first letter of each major word in a Code Title, Section or Chapter heading: Such as “17.12.080 Payment of City's Share.”

What Not to Capitalize:

(Many people tend to overuse capitals so, when in doubt, probably should not.)

Common nouns indicating direction: Such as “continue east on Burnside Street.”

Titles of officials that are generic and not official titles: Such as "auditors," "police officers," "firefighters.”

Names of specific fees and permits: Such as “parking permit,” “building permit” and “permit fee.”

Names of generic zones: Such as “tow away zone,” “no parking zone.”

List of Commonly Capitalized Words: The following is a common list of words that are capitalized when referring to a **specific** City of Portland person, place or thing:

- | | |
|---------------------|---------------------------------------|
| Auditor | Commissioner-in-Charge |
| Building Inspector | Council |
| Chairperson | Director |
| Chief of Police | Fire Bureau |
| Civil Service Board | Inspector |
| City Attorney | Mayor |
| Code | Title (group of Chapters in the Code) |
| Commissioner | Treasurer |
| | Vice-chairperson |

PUNCTUATION

Use of Commas in a Series: It is usual practice to omit the comma before the conjunction within a series of three or more words, phrases, letters, or figures.

- red, white and blue
- Chapter 12.06, 12.07 or 12.08
- neither a, b nor c

However, serial commas may be used for adding clarity in complex sentences.

Use of Semi-Colon at End of Subsections: Subsections which are interrelated should be separated by a semi-colon, with a period at the end. Example:

- (1)
- (2); and
- (3)

Use of Hyphens:

Two adjectives used together to describe a noun should be hyphenated.

last-known address
little-used guide

The exceptions are the adverb "very" and all adverbs ending in "ly"

very good grammar
commonly used word

Such words as "semi-annually" and "re-examination" should be hyphenated rather than appearing with two vowels in a row.

"Right-of-way" **should** be hyphenated.

ABBREVIATIONS

Use Standard and Uniform Abbreviations: Standard and easily understood forms of abbreviations are preferable and should be uniform, such as U.S.

Use of Non-Standard Abbreviations: Abbreviations not generally known should be explained in the text the first time they occur (such as "net developable acres (NDA)"). However, in the document **titles**, write the words out and **do not** show the abbreviation. When nonstandard abbreviations are used in tables, explanatory matter should be supplied.

Sectional Divisions of Cities: Sectional divisions of cities are indicated by NE, SE, etc.; but North, South, East and West should be spelled out.

"Square Feet" Not Abbreviated: Do not abbreviate "square feet" in the Code except in footnotes or tables.

NUMBERS AND FIGURES

Numbers Describing Units of Measurement, Time or Money are Expressed in Figures: Numbers are always expressed in figures when describing a unit of measurement, time or money in the Code. Examples of measurement units would be feet, inches, miles, gallons and centimeters. This generally means that there are few instances in which numbers are spelled in the Code.

Exception: Numerals should be spelled out at the beginning of a sentence or heading.

APPENDIX G

Numbers Not Describing Units of Measurement, Time or Money: Numbers not describing units of measurement, time or money should be expressed as follows: Single numbers of 10 or more should be in figures, and less than 10 should be spelled.

Numbers in a Series: When two or more numbers appear in a sentence and one of them is 10 or more, figures are used for each number.

Fractions: In general, fractions should always be expressed in figures with hyphens placed between the primary numbers and fractions: Such as “11-3/4” or “2-3/8.”

Exception: Fractions should be spelled when they modify a nearby noun: Such as one-half of the remainder.”

Monetary Sums: Monetary sums should be expressed in figures as follows:

0.5 cent	\$2,000 (use comma)
1 cent	\$160,000
10 cents	\$3 million
\$3 (no period)	\$3,504,282
\$3.65	\$115

DO NOT express monetary amounts in both words and figures.

RIGHT WAY: “The fee is \$100.”

WRONG WAY: “The fee is \$100 (one hundred dollars).”

Dates: Dates should be expressed as follows:

June 1999 (no comma)
June and July 1999 (no comma)
June 29 to July 6, 1999,
January 15 (**Not** the 15th day of January)
June 19, 1999, and - (commas)
Fiscal Year 1999-00
1995-99

Time: Time should be expressed as follows:

3 fiscal years
4:30 p.m.
10 p.m.
12 noon
12 midnight

Age: Age should be expressed in figures as follows:

6 years old
52 years 10 months 6 days

Note: Email FIS with Ordinance to FPD analyst when docs are sent to Commissioner

City of Portland, Oregon
FINANCIAL IMPACT STATEMENT
For Council Action Items

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator	2. Telephone No.	3. Bureau/Office/Dept.
4a. To be filed (date)	4b. Calendar (Check One) Regular Consent 4/5ths <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	5. Date Submitted to FPD Budget Analyst:

1) Legislation Title:

2) Purpose of the Proposed Legislation:

3) Revenue:

Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If new revenue is generated please identify the source.

4) Expense:

What are the costs to the City as a result of this legislation? What is the source of funding for the expense? (Please include costs in the current fiscal year as well as costs in future years) (If the action is related to a grant or contract please include the local contribution or match required)

Staffing Requirements:

5) Will any positions be created, eliminated or re-classified in the current year as a result of this legislation? (If new positions are created please include whether they will be part-time, full-time, limited term or permanent positions. If the position is limited term please indicate the end of the term.)

6) Will positions be created or eliminated in *future years* as a result of this legislation?

Complete the following section only if an amendment to the budget is proposed.

7) Change in Appropriations (If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Center Code column if new center needs to be created. Use additional space if needed.)

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Amount

APPROPRIATION UNIT HEAD (Typed name and signature)

PORTLAND POLICY DOCUMENTS

Transmittal Sheet for Administrative Rules Adopted Pursuant to Rule-Making Authority

**PORTLAND POLICY DOCUMENTS
OVERVIEW & FILING PROCEDURES****I. OVERVIEW****A. What is the PPD?**

The Portland Policy Documents (PPD) began as a joint initiative of the Mayor's Office & Auditor's Office to capture all City policies and administrative rules in one central location. Ordinance No. 175959, passed in October 2001, created the PPD and directed the Auditor to gather all City policies and rules and publish them on the Internet. PPDs are policies that affect future decision making and administrative rules that affect the general citizen population or all City employees. See www.portlandonline.com/auditor/code. The ordinance was amended December 17, 2003 by Ordinance 178099 to clarify and extend deadline.

B. Timeline For Creation Of PPD

- **October 26, 2001** - authorizing Ordinance goes into effect
- **June 30, 2004** - all documents required to be in PPD must be filed with Auditor to remain in effect

C. What types of documents are included in the PPD?

The PPD will contain all binding city policies, non-binding city policies, and administrative rules. All existing policies and rules must be filed with the Auditor for inclusion in the PPD by June 2004 to remain in effect.

- **Binding City Policies.** Adopted by City Council ordinance or resolution, these policies are directed to future decision-making or procedure and have binding effect or serve as mandatory approval criteria (Example: City Investment Policy)
- **Non-Binding City Policies.** Adopted by City Council ordinance or resolution, these policies express the Council's opinion but *do not* have a binding effect or serve as mandatory approval criteria for future decision making. (Example: Tacoma Main Street Plan)
- **Administrative Rules Adopted by City Council.** Adopted by City Council Ordinance or Resolution, these rules are binding requirements, regulations, or procedures which affect citizens or all City employees. (Example: HR Rules)

PORTLAND POLICY DOCUMENTS

Transmittal Sheet for Administrative Rules Adopted Pursuant to Rule-Making Authority

- **Administrative Rules Adopted by Bureaus Pursuant to Rule Making Authority.** Adopted by the Bureau pursuant to authority expressly delegated by City Council, these are binding requirements, regulations, or procedures which affect citizens or all City employees. (Example: Solid Waste & Recycling Rules adopted by OSD)

D. What types of documents are *not* included in the PPD?

- **City Code.** The City Code is maintained separately by the City Auditor. However, administrative rules currently contained in the City Code should eventually be moved to the new PPD. (Example: Title 4 Personnel was repealed when HR Rules were enacted).
- **Comprehensive Plan Policy.** Comprehensive plan policies are organized and maintained within the framework of the City's Comprehensive Plan.
- **Bureau Policies or Work Rules.** Unlike Bureau adopted Administrative Rules, these policies do not have a binding effect on all City employees or the general citizen population. Bureau policies are maintained by the individual Bureau, Department or Office.

II. FILING PROCEDURES

City Code Section 1.07.060 requires all Bureaus that adopt or amend any of the documents required to be included in the PPD file a copy with the Auditor. These documents shall be submitted in both paper and electronic form. Electronic copies should be consistent with City Software standards (ex.: MS Word, Excel or Adobe PDF). PPD filing procedures vary depending on the type of document.

Each Bureau should have a designated PPD contact. Questions regarding the filing process may be directed to your bureau PPD contact or Auditor's Office PPD staff (823-3546 or policy@ci.portland.or.us). The Auditor's Office PPD staff is also available for individual or group orientation sessions on the PPD.

A. New or Amended Policies & Rules Adopted by City Council.

- These documents will be captured following the Council Document filing process outlined in the Section VI, Submission of Documents
- Bureau or Elected Official must indicate on backing sheet that document should be in PPD

PORTLAND POLICY DOCUMENTS

Transmittal Sheet for Administrative Rules Adopted Pursuant to Rule-Making Authority

- **The text of the document (in the directives for an Ordinance or the resolved section for a Resolution) must state that it is binding policy, non-binding policy, or administrative rule as follows: “This ordinance [resolution] is binding city policy [non-binding city policy or administrative rule].”**

B. Existing Policies & Rules Adopted by City Council.

- These documents do not need to be reauthorized by Council.
- Bureaus should research their policies & rules and transmit paper and electronic copies to Auditor's Office by July 2003 for them to remain in effect.
- Complete *PPD Existing Policy & Rule Transmittal Sheet* (Appendix I-2). An electronic copy of this form is available on the Auditor's Intranet site.
- Send paper copy of completed transmittal sheet and PPD document via interoffice mail to 131/140/policy.
- Send electronic copy of completed transmittal sheet and PPD document via e-mail to the Auditor, Policy mailbox (policy@ci.portland.or.us).
- Paper and electronic copies of existing Council approved policies and rules may be filed with the Auditor's Office directly by the Bureau. They do not need to be filed through the Commissioner-In-Charge.

C. New and Amended Rules Adopted by Bureau.

- Bureau must have expressly delegated authority from Council to develop rules (In Code, Resolution or Ordinance)
- City Code Section 1.07.060 requires new or amended rules be filed with Auditor within 2 weeks of adoption.
- Complete *PPD Administrative Rule Transmittal Sheet* (Appendix I-1). An electronic copy of this form is available on the Auditor's Intranet site.
- Send paper copy of completed transmittal sheet and PPD document via interoffice mail to 131/140/policy.

PORTLAND POLICY DOCUMENTS

Transmittal Sheet for Administrative Rules Adopted Pursuant to Rule-Making Authority

- Send electronic copy of completed transmittal sheet and PPD document via e-mail to the Auditor, Policy mailbox (policy@ci.portland.or.us).
- Paper and electronic copies of Bureau adopted rules may be filed with the Auditor's Office directly by the Bureau. They do not need to be filed through the Commissioner-In-Charge.
- Please remember that Bureau policies and work rules are not included in the PPD. Unlike Bureau approved administrative rules, Bureau policies are adopted without formally delegated authority and affect only the Bureau or Office. These documents are maintained by the Bureau.

D. Existing Rules Adopted by Bureau.

- Bureau must have expressly delegated authority from Council to develop rules (In Code, Resolution or Ordinance)
- Bureaus should research their existing rules and transmit paper and electronic copies to Auditor's Office by July 2003 for them to remain in effect.
- Complete *PPD Existing Policy & Rule Transmittal Sheet* (Appendix I-2). An electronic copy of this form is available on the Auditor's Intranet site.
- Send paper copy of completed transmittal sheet and PPD document via interoffice mail to 131/140/policy.
- Send electronic copy of completed transmittal sheet and PPD document via e-mail to the Auditor, Policy mailbox (policy@ci.portland.or.us).
- Paper and electronic copies of Bureau adopted rules may be filed with the Auditor's Office directly by the Bureau. They do not need to be filed through the Commissioner-In-Charge.
- Please remember that Bureau policies and work rules are not included in the PPD. Unlike Bureau approved administrative rules, Bureau policies are adopted without formally delegated authority and affect only the Bureau or Office. These documents are maintained by the Bureau.

PORTLAND POLICY DOCUMENTS

Transmittal Sheet for Administrative Rules Adopted Pursuant to Rule-Making Authority

DATE: _____

TO: Auditor's Office 131/140/POLICY

FROM: Bureau/Office - _____
Name: _____

RE: Title of Rule: _____

Pursuant to rule-making authority expressly delegated to our director by the City Council:

- Please include the attached Administrative Rule the Portland Policy Documents.
- Please update existing document number _____ in the Portland Policy Documents with the attached amendment.

AS REQUIRED BY CITY CODE SECTION 1.07.060, AN ELECTRONIC COPY OF THIS RULE:

- Is on the attached diskette
- Has been e-mailed to policy@ci.portland.or.us (file name _____)

BUREAU CONTACT:

Name: _____ Phone: _____

BUREAU APPROVAL:

By: _____ Title: _____

Date: _____

BELOW SECTION FOR AUDITOR'S OFFICE USE

Document Number: _____
If not included in PPD, state reason _____

PORTLAND POLICY DOCUMENTS

Transmittal Sheet for Policies & Administrative Rules Adopted Prior to November 1, 2001

DATE: _____

TO: Auditor's Office 131/140/POLICY

FROM: Bureau/Office - _____
Name: _____

RE: Title of Rule/Policy: _____

Pursuant to City Code Section 1.07.060 B, please include the attached document in the Portland Policy Documents as a:

- Binding City Policy
- Non-Binding City Policy
- Administrative Rule Adopted by Council
- Administrative Rule Adopted Pursuant to Rule-Making Authority

AS REQUIRED BY CITY CODE SECTION 1.07.060, AN ELECTRONIC COPY OF THIS RULE/POLICY:

- Is on the attached diskette
- Has been e-mailed to policy@ci.portland.or.us
(file name _____)

BUREAU CONTACT:

Name: _____ Phone: _____

BUREAU APPROVAL:

By: _____ Title: _____

Date: _____

BELOW SECTION FOR AUDITOR'S OFFICE USE

Document Number: _____
If not included in PPD, state reason _____

SAMPLE PORTLAND POLICY DOCUMENT ORDINANCE

ORDINANCE No.

Establish a processing fee for street tree ornamental lighting permits (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Ornamental lighting in street trees in an important and identifying characteristic of some of the business districts in Portland. The presence of ornamental lights in City trees has steadily increased over the past ten years. A citywide policy directing proper installation, use, and maintenance of ornamental lights in City trees is needed to protect the City's green infrastructure.
2. The Tree Lighting Task Force was formed in October 2005 to recommend a citywide policy for street tree lighting. The task force developed policy guidelines for affixing ornamental lighting in trees which have been approved by the Urban Forestry Commission.
3. Section 20.40.070F of the City Code provides that Council may establish, by ordinance, inspection fees as part of the tree permit process.

NOW, THEREFORE, the Council directs:

- a) All ornamental lights in street trees will be installed and maintained substantially in conformance with the Tree Lighting Task Force policy guidelines for affixing ornamental lighting in trees attached as Exhibit A
- b) The fee for a street tree ornamental lighting permit is \$35.00 plus an additional charge depending on the number of trees covered by the permit substantially in conformance with the ornamental lighting permit fee structure attached as Exhibit B.
- c) This ordinance is binding City policy.

Passed by the Council:
Commissioner Saltzman
Prepared by: David McAllister: adm
Date Prepared: July 5, 2007

GARY BLACKMER
Auditor of the City of Portland
By
Deputy