

City of Portland Lobbying Entity Registration & Reporting 101

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Office of the City Auditor
lobbyist@portlandoregon.gov
www.portlandoregon.gov/auditor/lobbyist

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I. Introduction

Welcome

This "Lobbying Entity Registration & Reporting 101" information packet is intended to provide information to any individual, organization or group that meets the definition of a "lobbying entity" and as such is subject to the registration and reporting requirements of City Code Chapter 2.12 and City Administrative Rule ARB-ADM-15.01.

The City Auditor is charged with the administration of this program by City Code Chapter 2.12. Specifically, the Auditor:

- shall prescribe and provide forms for registrations, statements and reports
- shall accept registrations and reports in an electronic format
- shall make registrations, statements and reports available for public inspection
- may audit registrations and reports
- ⇒ is authorized to adopt administrative rules to administer this program.

Authority

Use of this information packet is intended solely as a reference guide. Every effort has been made to present accurate and reliable information, however, information in the packet changes periodically. As a result, this packet may contain some inadvertent errors. The Auditor's Office would appreciate your kindness in notifying us of any inaccuracies by phone, e-mail or in person.

Readers of this information packet should take note that the information contained herein should not be considered as having the same weight and authority as City Code or City Administrative Rules. In the event any information conflicts, this packet is not controlling and users must instead follow relevant legal authority.

Contact Information

Email: lobbyist@portlandoregon.gov

Mailing /Street Address:
Office of the City Auditor
Lobbying Entity Registration Program
1221 SW 4th Avenue, Room 320
Portland, OR 97204-1987

Website: portlandoregon.gov/auditor/lobbyist

Phone: 503-823-3546 Fax: 503-823-3530

II. General Information about Regulation of Lobbying Entities

Purpose of the Program

"The City finds that to preserve the integrity of its decision making process, lobbying entities that engage in efforts to influence City officials, should report their lobbying efforts to the public."

-(City Code Section 2.12.010)

Program Implementation Timeline

December 21, 2005

City Council passed Ordinance No. <u>179843</u>

⇒ April 1, 2006

- Effective Date of Ordinance No. 179843 and City Code Chapter 2.12
- Auditor began accepting online lobbying entity registrations

October 1, 2006

Auditor may begin imposing penalties

⊃ November 15, 2006

 Commissioner of Public Utilities submitted report to Council on implementation and effectiveness of program; next review in six months

⊃ November 22, 2006

 City Council passed Ordinance No. <u>180620</u>, amending City Code <u>Chapter 2.12</u>

December 22, 2006

Effective date of Ordinance No. 180620

June 20, 2007

 Commissioner of Public Utilities submitted second report to Council on implementation and effectiveness of program

⊃ August 8, 2007

 City Council passed Ordinance No. <u>181204</u>, amending City Code <u>Chapter 2.12</u>

○ September 7, 2007

 Effective date of Ordinance No. <u>181204</u>; lobbying entity cumulative reporting threshold reduced from 16 hours to 8 hours beginning with Q4 (10/1/07 – 12/31/07)

Online Lobbying Entity Registration System

The Auditor's Office and the Bureau of Technology Services developed an online registration system. This system was launched in three phases:

⊃ Phase One

- Lobbying Entity Registration
- Launch Date April 1, 2006

Phase Two

- Lobbying Entity & City Official Report Submission
- Launch Date June 2006

Phase Three

- Lobbying Activity Reports available for review & download by public
- Launch Date July 2006

Definitions

- "Lobbying Entity": Any individual, business association, corporation, partnership, association, club, company, business trust, organization or other group who lobbies either by employing or otherwise authorizing a lobbyist to lobby on that person's behalf.
- Unregistered Lobbying Entity": Any individual, business association, corporation, partnership, association, club, company, business trust, organization or other group who lobbies either by employing or otherwise authorizing a lobbyist to lobby on that person's behalf, but does not meet or exceed the cumulative 8 hour quarterly reporting threshold required for registration as a lobbying entity with the City.
- □ "Lobbyist": Any individual who is authorized to lobby on behalf of a lobbying entity.
- "Unregistered Lobbyist": Any individual who is authorized to lobby on behalf of an unregistered lobbying entity.
- "Lobby" or "Lobbying" or "Lobbies": Attempting to influence the official action of City Officials. Lobbying includes time spent preparing emails and letters and preparing for oral communication with a City official. Lobbying does not include:
 - 1. Time spent by an individual representing his or her own opinion to a City official.
 - 2. Time spent participating in a board, committee, working group, or commission created by City Council through approval of resolution or ordinance.

- 3. Time spent by a City Official or City employee acting in their official capacity as an official for the City.
- 4. Time spent submitting a bid, responding to related information requests, and negotiating terms on a competitively bid contract or intergovernmental agreement.
- 5. Oral or written communication made by a representative of a labor organization that is certified or recognized, pursuant to ORS 243.650 et seq., as the exclusive bargaining representative of employees of the City of Portland, to the extent that such communications do not deal with actual or potential ordinances that are unrelated to the collective bargaining process, or implementation or application of any collective bargaining agreement provision.
- 6. Formal appearances to give testimony before public hearings or meetings of City Council.
- 7. Work performed by a contractor or grantee pursuant to a contract with or grant from the City.
- 8. Time spent by any person holding elected public office, or their specifically authorized representative, acting in their official capacity.
- □ "Calendar Quarters": One of the following four three-month periods
 - 1. First Quarter January 1 to March 31
 - 2. Second Quarter April 1 to June 30
 - 3. Third Quarter July 1 to September 30
 - 4. Fourth Quarter October 1 to December 31.
- □ "Calendar Year": The period of January 1 through December 31.
- "City Official":
 - 1. Any City elected official (Mayor, Commissioner or Auditor)
 - 2. At will staff of a City elected official
 - 3. Director or individual in charge of:
 - a) Bureau of Development Services
 - b) Bureau of Emergency Communications
 - c) Bureau of Environmental Services
 - d) Bureau of Emergency Management
 - e) Bureau of Fire and Police Disability and Retirement

- f) Bureau of Housing
- g) Bureau of Human Resources
- h) Bureau of Internal Business Services
- i) Bureau of Parks & Recreation
- j) Bureau of Planning and Sustainability
- k) Bureau of Police
- I) Bureau of Revenue
- m) Bureau of Technology Services
- n) City Budget Office
- o) Office of Equity and Human Rights
- p) Office of Government Relations
- q) Office of Management & Finance
- r) Office of Neighborhood Involvement
- s) Portland Bureau of Transportation
- t) Portland Development Commission
- u) Portland Fire & Rescue
- v) Portland Water Bureau

4. Appointee to the:

- a) Design Commission
- b) Fire & Police Disability & Retirement Board
- c) Portland Development Commission
- d) Portland Planning and Sustainability Commission
- □ "Consideration": Gift, payment, distribution, loan, advance or deposit of money or anything of value. Includes a contract, promise, or agreement, whether or not legally enforceable.
- □ "Gift": something of economic value given to a City official without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not City officials on the same terms and conditions; and something of economic value given to a City official for valuable consideration less than that required from others who are not City officials.

Note: "gift" does not mean:

- 1. Campaign contributions, as described in ORS Chapter 260;
- 2. Gifts from family members.
- □ "Official Action": Introduction, sponsorship, testimony, debate, voting or any other official action on any ordinance, measure, resolution, amendment, nomination, appointment, or report, or any matter, including administrative action, that may be the subject of action by the City.

→ "Person": Any individual, business association, corporation, partnership, association, club, company, business trust, organization or other group.

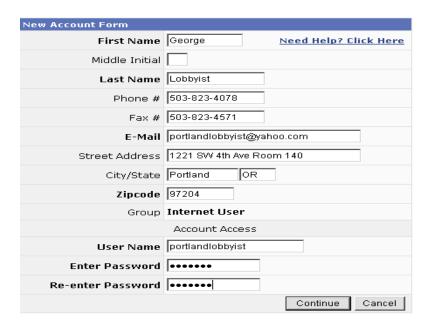
III. Creating Your Portland Online Account

The online City Lobbying Entity Registration & Reporting System requires each lobbying entity to have a unique Portland Online account. Portland Online accounts are free and protected by the City's Privacy Policy. If you are an official representative of more than one Lobbying Entity, you will be able to manage these entities under one account. See section IV for details on the managing multiple entities with the drop down menu. Each account requires a unique email address. To set up your Portland Online account, simply follow these steps.

- 1. Go to the Lobbying Entity Regulation website
 - www.portlandonline.com/auditor/lobbyist
- 2. Click once on the words "sign in" located in the upper right corner of your browser.



- 3. On the next screen, click once on the "Create a New Account" button.
- 4. The next screen will ask you if you are a City employee. Click on the circle to the left of "No" and click once on submit.
- 5. Complete your account information on the next screen. **Fields in bold** are required. When you are finished, click once on the "Continue" button.



6. If your account set up is completed, you will now be logged into Portland Online. <u>Be</u> sure to keep your user name and password in a safe place as you will need this information to log into the Lobbying Entity Registration & Reporting System.

If you have problems, please contact the City Auditor's Office Lobbying Entity Regulation staff at lobbyist@portlandoregon.gov or 503-823-3546.

IV. Registering as a Lobbying Entity

When Must a Lobbying Entity Register With the City?

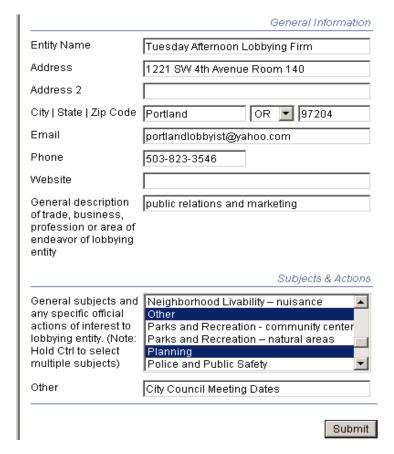
- Within 3 business days after a lobbying entity spends a cumulative total of 8 hours or more or estimates that it has spent 8 hours or more lobbying during any calendar quarter.
- ➡ If lobbying entities anticipate meeting the 8-hour threshold, they are encouraged to register at the beginning of each calendar year.
- ➡ Registrations expire December 31 of every year. Lobbying entities must renew their registration once the 8-hour threshold has been reached in the new year. Again, if they anticipate meeting the 8-hour threshold, they may renew at any time.
- **⇒** See page 27 for exemptions to the registration requirement.

How do Lobbying Entities Register With the City?

City Administrative Rule <u>ARB-ADM-15.01</u> requires lobbying entities subject to the provisions of Code <u>Chapter 2.12</u> to use the City's Online Lobbying Entity Registration & Reporting System to file their registrations. A lobbying entity without internet access may make arrangements to use a public computer in the Auditor's Office for this purpose.

Access to the online registration system requires a Portland Online account unique to an entity or a group of entities (if authorization for reporting is granted to a third party). Please see page 6 for information on creating this account.

- 1. Go to the Lobbying Entity Regulation website.
 - www.portlandonline.com/auditor/lobbyist
- 2. Enter the Online application by clicking once on the words "Click Here to File a Quarterly Statement."
- 3. You will be prompted to sign in with your Portland Online user name and password. Enter the information and click once on the "Sign In" button.
- 4. On your first log-in to the application, you will begin at the Lobbying Entity Registration Form. The following information is required on this form:
 - Name, mailing address, e-mail, telephone, (website is optional)
 - The system will generate automatic e-mail notifications so be sure to include an e-mail address that will be checked frequently
 - General description of trade, business, profession or area of endeavor of lobbying entity
 - General subjects and any specific official actions of lobbying entity
 - NOTE please use the drop down menu to select the general subjects of lobbying
 - Hold the "Ctrl" key to select multiple items
 - If you select "Other," you must type the specific general subject or official action in the text field



- 5. Carefully review your information, and then click once on the "Submit" button.
- 6. You should be taken to the confirmation page. <u>Your registration is not complete until</u> you print the form, sign it and mail or fax to the Auditor's Office.
- 7. Click once on the words "Print the Declaration form." Your form will be printed.
- 8. Sign and date the declaration.
- Email, mail, or fax the signed form to: lobbyist@portlandoregon.gov City of Portland Office of the City Auditor 1221 SW 4th Avenue Room 320 Portland, OR 97204 FAX 503-823-3530
- 10. Click once on the words "Logoff" to exit the application pending the Auditor's review and approval of your registration.

Lobbying Entity Registration Activation

Once the Auditor receives your signed form, your registration will be reviewed and your account activated. You will receive an e-mail (sample copy below) with further information about your registration and reporting requirements.

From: lobbyist@portlandoregon.gov To: portlandlobbyist@yahoo.com

Subject: Lobbying Entity Registration Activation

Thank you for registering as a City Lobbying Entity!

Your Lobbying Entity account is now active.

Please log into the online registration system and add the names and contact information for any individual lobbyists that are authorized to lobby the City on your behalf.

On the lobbyist home page you will also find the "Lobbying Entity Registration and Reporting 101 Manual" as well as the City Code authorizing the program and guiding Administrative Rules. Please take a moment to familiarize yourself with these resources.

The Auditor's Office will be sending periodic notices and reminders about the Lobbying Entity Registration program, including quarterly reminders for reports. Therefore, it is very important to provide updated contact information to the Auditor's Office.

If you have any questions about the program or your reporting responsibilities, please do not hesitate to contact the Auditor's Office at 503-823-3546 or lobbyist@portlandoregon.gov

Access all of these items here:

http://www.portlandoregon.gov/auditor/lobbyist

Adding Lobbyists to Your Registration

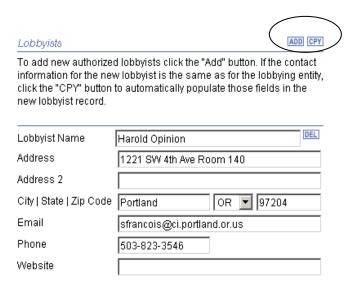
Once your registration has been activated, you can log back into the system to add the names and contact information for the lobbyists authorized to lobby on the behalf of your lobbying entity. Your registration is not complete until you add this information to your registration.

- 1. Go to the Lobbying Entity Regulation website.
 - www.portlandonline.com/auditor/lobbyist
- 2. Enter the Online application by clicking once on the words "Click Here to File a Quarter Statement."

- 3. You will be prompted to sign in with your Portland Online user name and password. Enter the information and click once on the "Sign In" button.
- 4. You will be taken to the Lobbying Entity Registration Confirmation Page.
- Click once on the words "Manage Registration & Lobbyists."
- 6. Your lobbying entity registration information will appear in your browser.
- 7. To add your first authorized lobbyist, click the "ADD" button. A new record will be created. Be sure to include the preferred mailing address for each lobbyist. This may be the mailing address for the lobbying entity, a business address, P.O. Box or residence address. Phone and email addresses are also required. The website address is optional.

If the contact information for all lobbyists is identical to the Entity's information, click the "CPY" button instead. This will automatically populate the contact fields (address, phone, etc...) from the lobbying entity's registration information.

Check to make sure you have entered all required information for your first lobbyist.



- 8. If you have additional authorized lobbyists to add to this lobbying entity, click again on the "ADD" or "CPY" buttons. This will create a new record. Enter the information for the 2nd Lobbyist. You may add as many authorized lobbyists as needed for your lobbying entity by clicking on the "ADD" button or "CPY" button and entering the required information.
- 9. Once you have entered the required information for all authorized lobbyists, click once on the "Submit" button. You are not required to send in a signed declaration

form when you add Lobbyists to your Entity account.

10. Click once on the word "Logoff" to exit the application.

Managing Multiple Lobbying Entities

The lobbyist program can accommodate multiple entities managed by the same Portland Online Log in. If you are an authorized lobbyist for multiple entities and need to manage reporting and registration responsibilities on their behalf, you can add and select which entity or entities to register and manage upon log in to the system.

1. Once you have logged in with your Portland Online Log in, use the drop down menu on the upper right hand corner of the page and drop down to select "Add new", as shown below:



2. After selecting an entity, you may then continue to create the registration as described in the beginning of this section, or create quarterly reports, certificates of limited expenditure, or amend other information, as needed.

V. Amending Your Lobbying Entity Registration

When Must a Lobbying Entity Amend Their Registration?

- Whenever any of the information disclosed on the Lobbying Entity Registration form (including authorized lobbyist information) changes, the change must be reported within 10 business days by following the steps below.
- ➡ Changes to the lobbying entity general information or subject/action sections of the registration form require a signed declaration to finalize the amendment.
- Changes to the authorized lobbyist section of the registration form do not require a signed declaration to finalize the amendment.
- ⇒ The amended registration will supersede all previous filings.

How to Amend the <u>Lobbying Entity General Information</u> or <u>Subjects & Actions</u>
Amendments to the Lobbying Entity General Information or General Subjects/Official
Actions of interest require a signed declaration before the changes are finalized.

- 1. Go to the Lobbying Entity Regulation website.
 - www.portlandonline.com/auditor/lobbyist
- 2. Enter the Online application by clicking once on the words "Click Here to File a Quarterly Statement."
- 3. You will be prompted to sign in with your Portland Online user name and password. Enter the information and click once on the "Sign In" button.
- 4. You will be taken to the Lobbying Entity Registration Confirmation Page.
- 5. Click once on the words "Manage Registration & Lobbyists."
- 6. Review the reported information. Make any necessary changes to the Lobbying Entity General Information and/or General Subjects/Official Actions of interest.
- 7. You should be taken to the confirmation page. Your registration is not complete until you print the form, sign it and email, mail, or fax to the Auditor's Office.
- 8. Click once on the words "Print the Declaration form." Your form will be printed.
- 9. Sign and date the declaration.
- 10. Email, mail, or fax the signed form to: City of Portland Office of the City Auditor 1221 SW 4th Avenue Room 320 Portland, OR 97204 FAX 503-823-3530 lobbyist@portlandoregon.gov
- 11. Click once on the word "Logoff" to exit the application pending the Auditor's review and approval of your amendment.

Once the Auditor receives your signed form, your amended registration will be reviewed and your account re-activated. You will receive an e-mail (similar to the sample copy on page 10) with further information about your registration and reporting requirements.

How to Amend Authorized Lobbyist Information

Amendments to the authorized lobbyist information do not require a signed declaration.

- Go to the Lobbying Entity Regulation website.
 www.portlandonline.com/auditor/lobbyist
- 2. Enter the Online application by clicking once on the words "Click Here to File a Quarterly Statement."
- 3. You will be prompted to sign in with your Portland Online user name and password. Enter the information and click once on the "Sign In" button.
- 4. You will be taken to the Lobbying Entity Registration Confirmation Page.
- 5. Click once on the words "Manage Registration & Lobbyists."
- 6. Your lobbying entity registration information will appear in your browser.
- 7. To add lobbyists, click once on the "ADD" or "CPY" buttons next to the word "Lobbyists" and enter the required information in the new record.
- 8. To delete lobbyists, click once on the "DEL" button to the right of the name of the authorized lobbyist you wish to delete. The information for this lobbyist will be deleted from your screen. Click once on the "Submit" button.
- 9. You will be returned to the Lobbying Entity Confirmation Page. Repeat steps 5-8 for all authorized lobbyists.
- 10. Click once on the word "Logoff" to exit the application.

VI. Lobbying Entity Quarterly Reporting Requirements

When Must a Lobbying Entity Report Their Lobbying Activity?

➡ If the lobbying entity has spent a cumulative or estimated 8 hours or more lobbying during the preceding calendar quarter.

<u>Quarter</u>	Reporting Period	Last Day to File Report
1	1/1/14 - 3/31/14	Tuesday April 15, 2014
2	4/1/14 – 6/30/14	Tuesday, July 15, 2014
3	7/1/14 — 9/30/14	Wednesday, October 15, 2014
4	10/1/14 –12/31/14	Thursday, January15, 2015
1	1/1/15 — 3/31/15	Wednesday, April 15, 2015

- The filing deadline shall be 5 p.m. on the last day to file the report, unless the deadline falls on a Saturday, Sunday or other legal City holiday, in which case the due date shall be the next business day at 5 p.m.
- A lobbying entity that does not anticipate spending more than \$1,000 per calendar quarter for the purpose of lobbying may file a <u>Certificate of Limited Expenditure</u> in lieu of the financial portion of the Quarterly Report. See Page 23 for information on filing this form.
- See page 27 for exemptions to the reporting requirement.
- ◆ A lobbying entity may amend a quarterly report without penalty if he or she files the amended report within 25 days after the end of the calendar quarter.

How do Lobbying Entities File Their Quarterly Report?

Per City Administrative Rule <u>ARB-ADM-15.01</u>, registered lobbying entities must use the Online Lobbying Entity Registration & Reporting System to file their Quarterly Reports. This system can be accessed at <u>www.portlandonline.com/auditor/lobbyist/</u> and then clicking on the words "Click Here to File a Quarterly Statement".

A lobbying entity without internet access may make arrangements to use a public computer in the City Auditor's Office for the purpose of complying with Code Chapter 2.12.

VII. Creating Your Lobbying Entity Quarterly Statement

- Go to the Lobbying Entity Regulation website
 www.portlandonline.com/auditor/lobbyist
- 2. Enter the Online application by clicking once on the words "Click Here to File a Quarterly Statement."
- 3. You will be prompted to sign in with your Portland Online user name and password. Enter the information and click once on the "Sign In" button.
- 4. You will be taken to Lobbying Entity Registration & Reporting Main Menu.
- 5. Click once on the words "Manage Quarterly Statements."
- 6. You will be taken to the Lobbying Entity Statements page. Click once on the "ADD" button to the far right of your screen to begin a new Quarterly Statement.

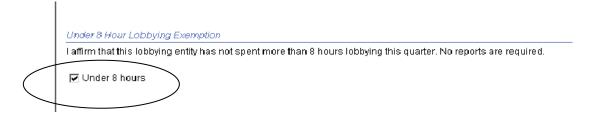


7. You will be taken to the Lobbying Entity Quarterly Statement Entry Page. Follow the instructions below to complete your report.

8. Select the current quarter from the drop down menu to the right of the words "Quarter Ending."



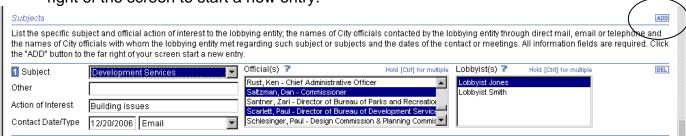
9. **8 Hour Exemption.** City Code <u>Chapter 2.12</u> exempts lobbying entities that have not spent 8 hours or more lobbying from filing reports.



<u>Under 8 hours</u>: If you have not met the 8 hour threshold then click the check box next to the words "Under 8 hours" and skip to Step 15 below.

Over 8 hours: If you have exceeded the 8 hour threshold, leave the check box unmarked and proceed to Step 10.

10. **Subject(s) of Interest.** Lobbying entities that have exceeded the 8 hour threshold must report the specific subjects or official actions of interest that are the subject of their lobbying activities. Click once on the "ADD" button to the far right of the screen to start a new entry.



You are required to report for each contact:

- Subject of Interest (see page 19 for a list of subjects). Select the general subject of the lobbying activity from the drop down menu. If the subject does not fit one of the general categories, select "Other" from the drop down menu and list the specific subject in the "Other" text box below the subject menu.
- Name of registered lobbyist(s) representing the entity
- ➡ Action of Interest. Enter the specific action you are lobbying for in the drop down menu. If none, type the words "None."
- Contact Date & Type. Enter the date (MM/DD/YYYY) and select the type of contact (direct mail, e-mail, personal meeting, telephone) from the menu.
- Official. Select the name of the City Official(s) contacted from the drop down menu. To select multiple Officials, hold the [Ctrl] key while selecting names.

Click the "ADD" button again for additional entries.

11. Certificate of Limited Expenditure. This section will automatically indicate whether or not you have a Certificate of Limited Expenditure on file.

If you have a Certificate of Limited Expenditure on file skip to step 13 below. You are not required to complete the Expenditure portion of the Quarterly Report.

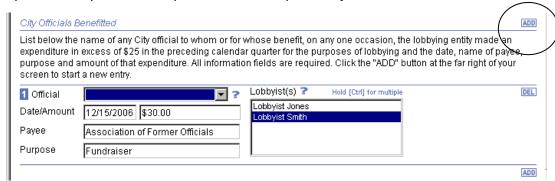
If you DO NOT have a Certificate of Limited Expenditure on file you will be required to enter the expenditure information. See step 12 below.

To file a Certificate of Limited Expenditure, see page 23.

12. **Expenditures.** List the total amount of <u>all</u> moneys (if the total exceeds \$1,000) expended by the lobbying entity or any authorized lobbyist for the purpose of lobbying City officials in the preceding calendar quarter. Enter the dollar amount without a dollar sign or commas (decimal points are ok).

Expenditures	
lobbyist employed lobbying City offici be included are: fo	unt of <u>all</u> moneys (if the total exceeds \$1,000.00) expended by the lobbying entity or any of by or otherwise authorized to lobby on behalf of the lobbying entity, for the purpose of lals on behalf of the lobbying entity in the preceding calendar quarter. The types of expenses to lood, refreshments, travel, entertainment, printing, postage, telephone, advertising, direct mail, eous items, gifts, compensation paid to lobbyists and reimbursements to lobbyists for their
Amount This is an estima	\$ 3500.00 te □

- The following types of expenditures <u>must be</u> included in the total amount:
 - food, refreshments, travel, and entertainment,
 - printing, postage, telephone, advertising, direct mail, and e-mail,
 - miscellaneous items and gifts,
 - compensation paid to lobbyists, and
 - reimbursements to lobbyists for their expenses.
- The following expenditures are <u>not required</u> to be included on this statement:
 - personal living,
 - travel expenses,
 - office overhead, including salaries and wages paid for staff and secretarial assistance, or
 - maintenance expenses.
- ➡ If the exact total amount of expenditures is not accurately known at the time the report is due, include an estimate in the text box and mark the check box next to the words "This is an estimate." The exact amount shall be submitted on an amended report when the information is available.
- 13. **City Officials Benefited.** Lobbying entities that have reached or exceeded the 8 hour threshold must report any expenditure in excess of \$25 made to benefit a City Official for the purpose of lobbying. If no such expenditures are made during a particular quarter, this portion of the report may be left blank.



To add a new entry, click once on the "ADD" button to the far right of the screen. For each expenditure benefiting a City official you must report:

- Official. Select the name of the City Official(s) benefited from the drop down menu.
- **□** <u>Lobbyist.</u> Select the name(s) of the Lobbyist(s).
- Date & Amount of expenditure. Enter the date (MM/DD/YYYY) and amount of the expenditure. Enter the dollar amount without a dollar sign or commas (decimal points are ok).
- Payee. Enter the name of the payee such as the vendor, store, company, etc.
- **Describe** The purpose of the expenditure.

- 14. Notice of Expense Provided by Lobbying Entity. ORS 244.100 requires any person or organization that provides a public official with food, lodging or travel expenses exceeding \$50 to notify the public official in writing of the amount of the expense. City Code Chapter 2.12 requires lobbying entities to file any such notices with their Quarterly Statement. If you have provided any such notice to a City official, mark the check box and mail a copy of the Statement to the Auditor with your signed Quarterly Statement. If you are not required to provide such notice, leave this check box unmarked.
- 15. **Saving & Finalizing Your Statement.** Quarterly Reports are due by the 15th day after the quarter ending date. Prior to that date, you may return to this page as often as needed to update your statement. Be sure to click the "Save" or "Save & Exit" buttons before you leave the application. When you have completed all necessary information for the entire quarter, click the "Finalize" button. See page 21 for instructions on submitting your Report.

Subjects of Interest (drop down menu for Step 10).

Arts and Culture

Business and Economic Development

Business Licenses

Cable and Franchise

Development Services

Education

Environment – natural

Environment – sewer/storm water

Financial Administration and Management

Fire and Police Disability and Retirement

Fire, Rescue and Emergency Services

Housing and Community Development

Human Resources - diversity

Human Resources – general

Neighborhood Livability – general

Neighborhood Livability - noise

Neighborhood Livability - nuisance

Parks and Recreation - community centers

Parks and Recreation – natural areas

Planning

Police and Public Safety

Police Oversight

Sustainable Development - energy

Sustainable Development – solid waste management

Transportation – Local Improvement District (LID)

Transportation – streets, sidewalks and street lighting

Urban Renewal

Water

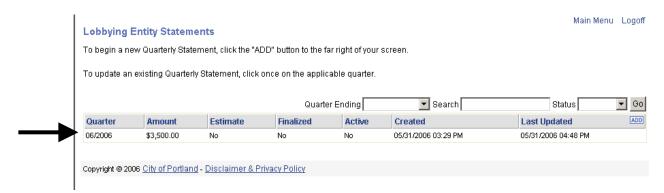
Other (identify specific subject if it does not fit one of the above categories)

VIII. Amending Your Lobbying Entity Quarterly Statement

Quarterly Reports are due by the 15th day after the guarter ending date.

Prior to that date, you may return to the Online Lobbying Entity Reporting System as often as needed to update your statement.

- 1. Go to the Lobbying Entity Regulation website www.portlandonline.com/auditor/lobbyist
- 2. Enter the Online application by clicking once on the words "Click Here to File a Quarterly Statement."
- 3. You will be prompted to sign in with your Portland Online user name and password. Enter the information and click once on the "Sign In" button.
- 4. You will be taken to Lobbying Entity Registration & Reporting Main Menu.
- Click once on the words "Manage Quarterly Statements."
- 6. You will be taken to the Lobbying Entity Statements page. Click once on the applicable guarter to open your Statement.



If you have already finalized your report, you will be able to view the printed statement but not able to amend it. Contact the Auditor's Office at lobbyist@portlandoregon.gov to arrange access if necessary.

7. Once you have contacted the Auditor's Office for access, you may now amend any of the information on this form. Follow Steps 9 to 15 in the previous section on Creating Your Quarterly Statement.

Each Time You Amend Your Report: Be sure to click the "Save & Exit" button.

When You Are Ready to Submit Your Report: Click the "Finalize" button.

IX. Submitting Your Lobbying Entity Quarterly Statement

 When you have entered all required information for your Quarterly Statement, you may finalize the report by clicking the "Finalize" button on the Quarterly Statement page.



2. A pop up menu will appear asking you if you are sure you want to finalize your quarterly statement. Clicking yes will lock you out of the ability to further edit your statement (you will be able to print the statement).



Click OK to finalize your statement.

You will be taken to a Confirmation page. Your filing is not considered final until you print the Quarterly Statement, sign it and mail or fax to the Auditor's Office.

- 4. Click once on the words "Print the Quarterly Statement." Your form will be printed.
- 5. Sign and date the declaration at the end.
- Mail, fax, or email the signed form to: City of Portland Office of the City Auditor 1221 SW 4th Ave Room 320 Portland, OR 97204 FAX 503-823-3530 lobbyist@portlandoregon.gov

(If your report is more than 25 pages, please do not fax the form).

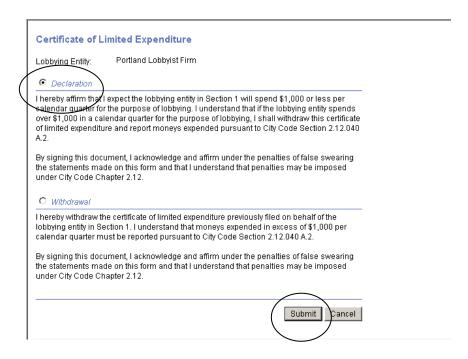
- 7. Click once on the word "Logoff" to exit the application pending the Auditor's receipt, review and approval of your Quarterly Statement.
- 8. You will receive an automated e-mail once the Auditor has accepted your report.

X. Certificate of Limited Expenditure

A lobbying entity that does not anticipate spending more than \$1,000 per calendar quarter for the purpose of lobbying may file a Certificate of Limited Expenditure in lieu of the financial portion of the Quarterly Report. Certificates of Limited Expenditure expire at the end of the calendar year.

To File a Certificate of Limited Expenditure indicating your intent to spend <u>less</u> than \$1,000 per calendar quarter for the purposes of lobbying:

- 1. Go to the Lobbying Entity Regulation website
- www.portlandonline.com/auditor/lobbyist
- Enter the Online application by clicking once on the words "Click Here to File a Quarterly Statement."
- 3. You will be prompted to sign in with your Portland Online user name and password. Enter the information and click once on the "Sign In" button.
- 4. You will be taken to Lobbying Entity Registration & Reporting Main Menu.
- 5. Click once on the words "File a Certificate of Limited Expenditure."
- 6. You will be taken to the Certificate of Limited Expenditure page. Click once on the circle next to the words "Declaration" and then click the "Submit" button.



- 7. You will be taken to a Confirmation page. Your filing is not considered final until you print the Certificate, sign it and mail or fax to the Auditor's Office.
- 8. Click once on the words "Print the Form." Your form will be printed.
- 9. Sign and date the declaration at the end.
- 10. Mail or fax the signed form to:
 City of Portland
 Office of the City Auditor
 1221 SW 4th Ave Room 320
 Portland, OR 97204
 FAX 503-823-3530
- 11. Click once on the word "Logoff" to exit the application pending the Auditor's receipt, review and approval of your Certificate of Limited Expenditure.
- 12. You will receive an automated e-mail once the Auditor has accepted your filing.
- 13. When you have a current Certificate of Limited Expenditure on file, you will see the following phrase on your Quarterly Statement: "You have a current Certificate of Limited Expenditure on file indicating that you do not anticipate spending over \$1,000 per calendar quarter lobbying."

You are not required to complete the expenditure portion of the Quarterly Statement if you have a Certificate of Limited Expenditure on file. However, all other portions of the statement must be completed if your lobbying entity exceeds the 8-hour threshold.

To WITHDRAW a Certificate of Limited Expenditure indicating that you now intend to spend more than \$1,000 per calendar quarter for the purposes of lobbying:

- 1. Go to the Lobbying Entity Regulation website
- www.portlandonline.com/auditor/lobbyist
- 2. Enter the Online application by clicking once on the words "Click Here to File a Quarterly Statement."
- 3. You will be prompted to sign in with your Portland Online user name and password. Enter the information and click once on the "Sign In" button.
- 4. You will be taken to Lobbying Entity Registration & Reporting Main Menu.

- 5. Click once on the words "File a Certificate of Limited Expenditure."
- 6. If you have a current Certificate of Limited Expenditure on file, the screen should look like this:

Lobbying Entity Registration & Reporting

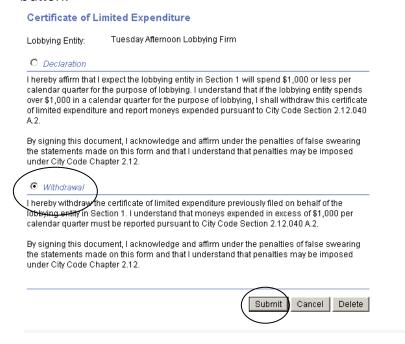
A current Certificate of Limited Expenditure has been received and approved for Declaration.

If for any reason this is incorrect, please update the filing here

Return to Main Menu

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- 7. Click on the words "update the filing here."
- You will be taken to the Certificate of Limited Expenditures page. Click once on the circle next to the words "Withdrawal" and then click the "Submit" button.



9. You will be taken to a Confirmation page. Your filing is not considered final until you print the Withdrawal, sign it and mail or fax to the Auditor's Office.

- 10. Click once on the words "Print the Form." Your form will be printed.
- 11. Sign and date the declaration at the end.
- 12. Mail or fax the signed form to: City of Portland Office of the City Auditor 1221 SW 4th Ave Room 320 Portland, OR 97204 FAX 503-823-3530
- 13. Click once on the word "Logoff" to exit the application pending the Auditor's receipt, review and approval of your Withdrawal.
- 14. You will receive an automated e-mail once the Auditor has accepted your filing.
- 15. When you do not have a current Certificate of Limited Expenditure on file, you will see the following phrase on your Quarterly Statement: "You DO NOT have a current Certificate of Limited Expenditure on file indicating that you do not anticipate spending over \$1,000 per calendar guarter lobbying."

You are required to complete the expenditure portion of the Quarterly Statement.

XI. Exemptions to Registration & Reporting Requirements

The registration and reporting requirements of City Code Chapter 2.12 do not apply to the following persons:

- News media, or their employers or agents, that in the ordinary course of business directly or indirectly urge official action but that engage in no other activities in connection with the official action. OR
- Lobbying entities that spent fewer than 8 hours lobbing during every calendar quarter in a calendar year. OR
- ◆ Any lobbying entity that satisfies all three of the following requirements:
 - Complies with state public record and meeting laws or with the standards adopted by City Council that govern Neighborhood Associations, District Coalitions, and Business District Associations referenced in City Code Section 3.96.020 G.;
 - 2. Is classified as a non-profit organization, registered with the Oregon Secretary of State Corporation Division; AND
 - 3. Is formally recognized by the City of Portland's Office of Neighborhood Involvement or through City Council resolution or ordinance.

XII. Other Regulations, Reporting Requirements & Penalties

Declaration Required by Lobbyist

A lobbyist must declare which lobbying entity he or she is authorized to represent:

- Prior to offering public testimony before City Officials
- ◆ At the beginning of any meetings or phone calls with City Officials
- In emails or letters to City Officials.

City Official Reports

City Officials are required to file Online Quarterly Reports following the same quarterly reporting schedule as lobbying entities. These reports have two components.

- 1. Documentation of any gifts, meals or entertainment in excess of \$25.00 received from a lobbying entity, authorized lobbyist, unregistered lobbying entity or unregistered lobbyist. This documentation must include:
 - Name of lobbying entity/authorized lobbyist or unregistered lobbying entity/unregistered lobbyist
 - Subject of interest (see page 20 for list)
 - Description of gift, meal or entertainment
 - Value of gift, meal or entertainment
 - Date of receipt
- 2. Documentation of any donations or gifts of personal or real property to the City by a lobbying entity, authorized lobbyist, unregistered lobbying entity or unregistered lobbyist. This documentation must include:
 - Name of lobbying entity/authorized lobbyist or unregistered lobbying entity/unregistered lobbyist
 - Gift or donation requested
 - Purpose of donation
 - Date of request

Elected Official and City Director Calendars

Elected Officials and City Directors must post their calendars of activities related to official City business to the Auditor's Office Lobbyist Entity Regulation website. Calendar postings follow the same reporting schedule as lobbying entity reports.

See the City Official Reporting 101 Information Packet for more information.

Prohibited Conduct

No former City Elected Official, City Director or other employee shall, for a period of one year after the termination of the employee's term of office or employment, lobby for money or other consideration a City Official, regarding any subject matter on which the employee participated personally and substantially during the employee's term of office or employment; provided, that if the employee exercised contract management authority with respect to a contract, this prohibition shall be permanent as to that contract.

These prohibitions shall not apply to:

- 1. Prevent any former City Elected Official or other City employee from representing himself or herself, or any member of his or her immediate family, in their individual capacities, in connection with any matter pending before the City;
- The activities of any former City Elected Official or other City employee who is an
 elected or appointed officer or employee of any public body, when that former
 City Elected Official or other City employee is solely representing that agency in
 his or her official capacity as an officer or employee of the public body;
- 3. Any ministerial action. A ministerial action is one that does not require a City official or other City employee to exercise discretion concerning any outcome or course of action;
- 4. Prevent City officials or other City employees from seeking information or participating from former City Elected Officials or other City employees where the public interest would be served by the information or participation.

Penalties & Enforcement

A person shall be subject to a civil penalty in an amount not to exceed \$500.00 per violation if the person:

- ⇒ violates any provision of City Code Chapter 2.12 or
- fails to file any report, registration or statement required by Chapter 2.12 or
- ⇒ fails to furnish any information required by <u>Chapter 2.12</u>.

At the request of the Auditor, the City Attorney may seek civil penalties and enforcement of any provision of Chapter 2.12 in Multnomah County Circuit Court or other appropriate venue.