Chapter 3.15 Office of Management and Finance

-Note

(New Chapter Substituted by Ordinance No. 174410, effective May 3, 2000.)

3.15.010 Organization.

The Office of Management and Finance shall be under the direction and control of the Chief Administrative Officer (CAO). The CAO shall be responsible for the overall coordination and management of the bureaus of the Office of Management and Finance to assure that the goals of the City Council are met and the mission and goals of the Office of Management and Finance are achieved. This includes responsibility for the productivity, responsiveness and effectiveness of the services and programs of the Office of Management and Finance. The Office of Management and Finance also shall be charged with providing ongoing evaluation and proposing improvements to city administrative service functions in all city bureaus. Day-to-day supervision of administrative service functions outside the Office of Management and Finance will remain with bureau managers. The CAO will consult with bureau managers and labor unions in fulfilling his or her duties.

3.15.020 Definitions.

Administrative services include all those functions that provide products, services, and support to city employees and programs that in turn provide direct services to the public. These services include, but are not limited to the following functions: accounting, debt, treasury, clerical, payroll, external and internal communications, training, education, outreach, grant administration, license and fee collection, risk management, facilities, fleet, human resources, information technology, legal, printing and distribution, public information, and purchasing.

3.15.030 Office of the Chief Administrative Officer.

- **A.** The Office of the Chief Administrative Officer, City of Portland shall be supervised by the CAO and shall include such other employees as the Council may provide. The Office of Chief Administrative Officer shall be responsible for the overall coordination of the administrative service functions of the City.
- **B.** In conjunction with the annual budget, the CAO shall provide the City Council a detailed annual workplan to improve city administrative services
- C. The CAO will meet with the City Council at least twice a year to report on efforts to continually evaluate and improve all city administrative services, including those contained in the annual workplan.
- **D.** The CAO or designee shall perform the duties of the position referred to in the Oregon Revised Statutes as Budget Officer.
- E. The CAO may determine that the City's administrative services are more effectively and efficiently provided by another configuration or organization of bureaus and may recommend such reconfiguration or reorganization to the City Council.
- F. Upon approval of the City Council, the CAO or designee shall have the specific authority to:
 - 1. Implement policies, practices, rules, regulations and systems for providing all city administrative services. All bureaus and agencies shall comply with City Council approved

policies, practices, rules, regulations and systems established for administrative services.

- 2. Determine if any administrative service should be provided by city staff or outside vendors. Bureaus shall use the services of the Office of Management and Finance unless otherwise authorized by the CAO or directed by the City Council.
- 3. Provide administrative services to any other governmental or private agency when it is in the interest of the City to do so.
- 4. Provide additional administrative services as directed by the Council.
- 5. Recommend to Council organizational structures for providing administrative services citywide.

3.15.040 Bureau of Financial Services.

(Amended by Ordinance Nos. 176003 and 178214, effective March 26, 2004.)

- A. The Bureau of Financial Services shall be supervised by a Director, who shall be Chief Financial Officer of the City, and who shall report to the Chief Administrative Officer (CAO). The Bureau shall include such other employees as the Council may provide. The responsibilities of the Bureau of Financial Services shall include public finance and treasury management, financial planning, accounting, grants, pension oversight and other services or responsibilities the Council or the CAO may assign.
- **B.** The Financial Planning Division shall be supervised by a Manager who shall report to the Director and shall perform the duties of the position referred to in the Oregon Revised Statutes as Budget Officer. The responsibilities of the Financial Planning Division shall include financial planning, forecasting, publishing the budget and other responsibilities the Director may assign.
- **C.** The Accounting Division shall be supervised by a Controller who reports to the Director and shall have specific authority to:
 - 1. Establish, maintain, and enforce citywide accounting policies, practices, rules and regulations. The Controller shall be the final authority for interpretations of accounting and financial reporting policies and practices.
 - 2. Authorize reports that disclose the fiscal condition of the City to external users including the Comprehensive Annual Financial Report (CAFR), the Single Audit Report, and other reports required by federal, state and local regulations.
 - 3. Conduct or contract with public accounting firms to conduct financial and compliance audits and other tests to determine compliance with citywide accounting and financial reporting policies and current professional standards and adequacy of internal controls over accounting transactions, the cost of which shall be paid by the bureau being audited.
 - 4. In cooperation with the Bureau of Purchases and the Bureau of Technology Services, review and approve the purchase of systems or changes to systems used to track and record financial transactions.
 - 5. In cooperation with the Bureau of Human Resources review and approve actions to create,

classify or change the duties or compensation of those positions throughout the City whose primary function is accounting.

6. Other duties as may be assigned by the Director.

3.15.045 Bureau of Financial Planning.

(Repealed by Ordinance No. 178214, effective March 26, 2004.)

3.15.050 Bureau of Human Resources.

(Amended by Ordinance No. 176302, effective April 5, 2002.)

- A. The Bureau of Human Resources shall be supervised by a director and shall include such other employees as the Council may provide. The responsibilities of the Bureau of Human Resources shall include coordination and control of the administrative and technical activities relating to maintenance of a comprehensive human resources system for the City, including employee relations, labor negotiations, training, employment services, classification, compensation, affirmative action and diversity development, workforce development and employee benefits.
- **B.** The Director of Human Resources shall formulate, administer and monitor administrative rules approved by the Council, or the Chief Administrative Officer, including provisions for:
 - 1. Recruitment, examination, certification and appointment on the basis of applicants' knowledge, skills and abilities.
 - 2. Classification and compensation.
 - 3. Employee behavior and expectations.
 - 4. Disciplinary guidelines with notice to employees of prohibited practices.
 - 5. Employee training and development.
- C. In accordance with Oregon law, the Director of the Bureau of Human Resources or his/her designee, on behalf of the Council, may enter into agreements with labor organizations, recognizing their exclusive representation of specified classifications within City service.
- **D.** Dispute Resolution.
 - 1. The Human Resources Director or designee(s) is the official interpreter for the City pertaining to its collective bargaining agreements and any other written compensation and benefits plans and personnel policies established by the Council.
 - 2. The Commissioner-In-Charge of a bureau shall retain the right to hear individual grievances and or concerns on a case by case basis. In settling such grievances and or concerns, the Commissioner-In-Charge shall do so with the advice and consent of the City Attorney and the Human Resources Director.
 - 3. If the Commissioner-In-Charge of a bureau does not retain jurisdiction of a grievance and or a

concern within one week of receiving the issues, then the Human Resources Director shall automatically have jurisdiction to settle the issue.

- 4. Provision for resolution of disputes is as follows:
 - a. Within one (1) day following the filing of a written grievance under a collective bargaining agreement, or other written personnel policy adopted by Council, the bureau or department recipient of the grievance shall provide a copy to the Human Resources Director of the written grievance or other appeals document. During the investigation of grievances the Human Resources Director or designee(s) shall be an agent of the Office of the City Attorney for purposes of representing the City.
 - **b.** Where a grievance or complaint by a nonrepresented employee or settlement thereof would require payment of a claim for wages or other monetary benefit, the supervisor, division manager or bureau director responding to the grievance shall confer with the Human Resources Director or his or her designee before any promise is made to accept or adjust the claim in settlement.
 - c. Where the claim is for wages or other monetary benefit not exceeding \$5,000 per claimant, the supervisor, division manager or bureau director, with the approval of the Commissioner-In-Charge of the bureau and of the Human Resources Director may accept or adjust the claim in settlement on behalf of the City, where settlement is deemed prudent and appropriate, provided that:
 - (1) The Human Resources Director authorizes the settlement in writing and gives written notice to the payroll division or to the benefits program manager involved to draw and issue a check not exceeding \$5,000 per claim for the settlement expense, charged to the appropriate center code, account number or fund;
 - (2) Payments which are an exception to Section 5.08.020 of the Code, which requires payroll checks to be drawn only for services rendered, shall be made only when the Human Resources Director determines such payment to be in the best interests of the City and the Office of the City Attorney approves. This Section shall be narrowly applied.
 - (3) The Office of the City Attorney reviews and approves the settlement agreement as being not in conflict with State or Federal laws, applicable ordinances, and collective bargaining agreements pertaining to conditions of employment.
 - d. Where a settlement agreement provides for payment of claims for back wages or other monetary benefit in an amount exceeding \$5,000, the settlement shall not be authorized or enforceable unless approved by the City Council by ordinance.
 - e. The CAO or designee is authorized to investigate informal reports of employment discrimination, in accordance with Section 3.15.080 B.2.a.(5) where applicable. During the investigation of reports, the CAO or designee(s) shall be an agent of the Office of the City Attorney for purposes of representing the City.
 - **f.** The Human Resources Director will file a report to Council two (2) weeks after the end of each month with respect to the settlements entered into pursuant to this section.

- E. The Director of the Bureau of Human Resources shall establish objectives for the Bureau of Human Resources and develop a plan for accomplishing these objectives and carrying out the mission of the Bureau of Human Resources.
- F. Mayor to Appoint Acting Officers in Certain Cases. Whenever a vacancy occurs in an office, other than that of the Mayor, a Commissioner or the Auditor of the City, to which the Council may appoint an incumbent, the Mayor is hereby authorized to appoint some suitable person having the qualifications required by the Charter and ordinances to be serve as an acting officer for such positions until such time as the Council shall have met and made an appointment to fill the vacancy. Whenever the incumbent of any such office, other than that of the Mayor, a Commissioner or the Auditor of the City, is sick, absent, or otherwise unable to serve, the Mayor is hereby authorized to appoint some suitable person having the qualifications required by the Charter and ordinances to serve as an acting officer for such positions until such time as the incumbent shall be able to serve or until the Council shall have met and appointed someone to serve during such absence, sickness or other disability. Each person appointed as an acting officer under the terms and provisions hereof shall have and exercise during his/her term of service all of the power and authority which attaches to the office.
- **G.** The Human Resources Director shall design, manage and administer a comprehensive and competitive Classification Plan and Compensation Plan. The Council shall fix the salaries of all officers, agents and employees of the City.
- H. The Director of the Bureau of Human Resources and the Benefits Manager shall design, manage and administer a comprehensive, competitive and compliant benefits package, as approved by the Council, including provisions for:
 - 1. Medical, dental and vision coverage;
 - 2. Dependent Care Assistance Plan;
 - 3. Medical Expense Reimbursement Plan;
 - 4. Life Insurance;
 - 5. Long-Term Disability; and
 - 6. Employee Assistance Program.

Such provisions shall include employee participation eligibility and enrollment, claims management, procedures for record keeping and responsibility for all applicable reporting and disclosure requirements.

3.15.060 Bureau of Technology Services.

(Amended by Ordinance Nos. 176003 and 177852, effective September 3, 2003.)

A. The Bureau of Technology Services shall be supervised by the Chief Technology Officer (CTO) and shall include such other employees as the Council may provide. The Bureau shall be responsible for the Information Technology Services Fund and the Communications Services Operating Fund.

- **B.** The Bureau shall manage, establish policies and standards, and provide technical support for all cityowned information technology systems. It shall:
 - 1. Provide Information Technology (IT) strategic planning and IT consulting services, including budget preparation and analysis, system planning and procurement, resource allocation and project management for large information technology projects.
 - 2. Design, implement and manage all IT hardware and software including system security measures.
 - 3. Manage all citywide radio, video, data communications, microwave, wireless communications and telephone systems and equipment owned by the City.
 - 4. Design, implement and manage all citywide voice, video and data applications.
 - 5. Manage IT end user support services, including Help Desk and Desktop Support services.
 - 6. Manage citywide Geographic Information Systems.
 - 7. Provide all Internet and Intranet services to City bureaus, offices, boards and commissions.
 - **8.** In cooperation with the Bureau of Purchases, review and approve the purchase of all information technology software, hardware and professional consulting services, radio, video, data communication and telephone equipment.
 - **9.** Provide citywide communications and electronic consulting for system planning and procurement; written estimates to City bureaus to assist in budgeting; and project management on large systems.
 - 10. Provide all telephone services to City bureaus; coordinate with telephone vendors; order new facilities and equipment for city-owned or leased systems; plan telephone systems, and resolve all telephone problems.

3.15.070 Bureau Risk Management.

(Repealed by Ordinance No. 176003, effective October 10, 2001.)

3.15.080 Bureau of General Services.

(Amended by Ordinance Nos. 174509, 174904, 175372, 176003, and 176738, effective August 9, 2002.)

A. The Bureau of General Services shall be supervised by a Director who shall report to the CAO and shall include such other employees as the Council may provide. The Bureau shall coordinate and control the administrative, fiscal and technical activities relating to the internal services provided in risk management and in the areas of facilities, vehicle services, printing and distribution services and other services the Council or the CAO may assign. The Bureau shall be responsible for the financial planning and fund management for the Vehicle Services Operating Fund (PCC 5.04.180), the Facilities Services Operating Fund (PCC 5.04.185), the Printing and Distribution Services Operating Fund (PCC 5.04.200), the Insurance and Claims Operating Fund (PCC 5.04.230), and the Worker's Compensation Self

Insurance Operating Fund (PCC 5.04.240).

B. Duties and Responsibilities

- 1. In order to provide Council authorized services, the Director shall have the specific authority to:
 - **a.** In cooperation with the Bureau of Purchases and the Office of Management and Finance, determine if equipment may be purchased or leased and determine the needs and methods of financing.
 - **b.** Provide any authorized service to any other governmental agency through contract or billing agreements.
- 2. The Bureau shall provide the following services:
 - a. Division of Risk Management.
 - (1) The Division of Risk Management shall be supervised by a Risk Manager who shall report to the Director of the Bureau of General Services and shall include such other employees as the Council may provide. The Division shall coordinate and control the administrative and technical activities relating to commercial and self-insurance, including property, workers' compensation, liability and subrogation. The Division shall have the authority to monitor and coordinate a citywide loss prevention and control program, as necessary to minimize potential property, liability, fidelity and personnel losses. In addition, the Division shall maintain records relating to commercial and self-insurance losses by the City or claims filed against the City and shall execute any claim or proof of loss for damage to City property.
 - (2) The Risk Manager is hereby delegated authority to evaluate, approve or disapprove on such form as the Risk Manager finds necessary, on behalf of the City, all applications for self-insurance programs in lieu of commercial insurance requirements of contracts, permits, or any other legal documents of the City. Upon approval of a self-insurance program, the contract, permit or other legal document that is the subject of an application is automatically amended, subject to the approved form being filed with the City Auditor or such other bureau as may be charged with keeping the records, to substitute such approved self-insurance program for the commercial insurance requirements of the contract, permit, or other legal document, without further action by the Council.
 - (3) Workers' compensation claim administration procedures within the City generally shall be based on the guidelines of the Oregon Workers' Compensation Board and the rules and regulations embodied in ORS Chapter 656. These procedures include the authority to settle a "bona fide disputed claim" subsequent to an appeal of the employee's claim against the City in accordance with ORS 656.283 or 656.289. The settlement procedure shall be as follows. The Risk Manager shall make the initial recommendation to settle a bona fide disputed claim when appropriate to the administration of that claim. The Risk Manager will forward the recommendation to the Commissioner In Charge (or designated delegate) of the Bureau in which the claimant was employed at the date of injury. The Commissioner In Charge may approve or disapprove the recommendation. The Risk Manager also shall give notice

to the Commissioner In Charge of the Bureau of General Services that a recommendation to settle a bona fide disputed claim has been made. The City Attorney shall approve all offers of settlement as to form.

- (4) The Risk Manager is authorized to act on behalf of the City on all matters related to workers' compensation not specifically delineated in City Code Section 3.15.080 B.2.a.(3). This authorization includes, but is not limited to:
 - (a) The authority to accept, deny or defer claims;
 - (b) The authority to authorize all payments in amounts required by law relating to a worker's compensation claim;
 - (c) The authority to engage legal counsel to appeal any adverse decisions regarding a workers' compensation claim; and
 - (d) Subject to the provisions of City Charter Section 1-106 governing settlements, the Risk Manager, with the concurrence of the Human Resources Director, is authorized to act on behalf of the City of Portland in the settlement of tort claims and court actions alleging employment discrimination and violations of civil rights.
- (5) The Risk Manager or his or her designee is authorized to investigate complaints of discrimination filed with the Civil Rights Division of the Oregon Bureau of Labor and Industries, or the Equal Employment Opportunity Commission. Prior to initiation of tort claims and court proceedings, the Risk Manager or designee is authorized to settle such complaints subject to the following provisions. During the investigation of complaints filed, the Risk Manager or designee shall be an agent of the Office of the City Attorney for purposes of representing the City.
 - (a) The Risk Manager may, subject to the terms and conditions of City Code Section 3.15.050.B.4.c. and d., make settlements to such complaints in an amount not exceeding \$5,000. The Risk Manager will file a report with the Council two weeks after the end of each month with respect to the settlements entered into pursuant to this subsection.
 - **(b)** Where a settlement agreement provides for payment of a claim in an amount in excess of \$5,000, the settlement shall not be authorized or enforceable unless approved by the City Council by ordinance.
- (6) The Risk Manager is authorized to investigate and enter into settlements on fair and moral claims which are not covered by insurance, for which the Committee on Claims, under Chapter 3.72, has established guidelines for recommendations and potential reimbursement. However, in the event the guidelines are insufficient for the Risk Manager to determine whether to accept or deny the claim, or to determine the amount of reasonable reimbursement, the Risk Manager shall forward such claims to the Committee on Claims.
- (7) The Risk Management Division shall obtain a public liability insurance policy or provide the necessary funding through a self-insurance program protecting the City,

its officers, agents and employees with limits of not less than the maximum statutory limits of liability imposed on municipalities of the State of Oregon.

- b. Division of Facilities Services. The Division shall manage City facilities. It shall:
 - (1) Provide property management services for the inventory, rental and in cooperation with the Bureau of Purchases, the purchase, sale and replacement of city-owned real property.
 - (2) Provide facilities maintenance services to City facilities, including but not limited to maintenance and repair of City buildings and their related equipment; and the administration of janitorial, maintenance and security contracts.
 - (3) Provide architectural services including but not limited to architectural design, facilities planning, space planning, and project management of City capital projects.
- c. Division of Vehicle Services. The Division shall manage all City vehicles. It shall:
 - (1) Have in its inventory all city-owned, leased, or rented motorized vehicles, licensed trailers, and wheel-mounted equipment. This does not include fire fighting apparatus, engines fixed in buildings, motorized tools, or boats. The Bureau shall operate the City's maintenance and repair facilities now existing or in the future established for maintenance or repair of the above described fleet equipment.
 - (2) Provide an efficient and effective fleet operation to enable City bureaus to carry out their respective missions. This responsibility includes, but is not limited to:
 - (a) Managing the City fleet; including all vehicles, owned, leased or rented by the City;
 - (b) Assisting with equipment needs identification;
 - (c) Managing the assignment of fleet equipment;
 - (d) Assisting in the development of fuel and resource conservation plans;
 - (e) In cooperation with the Bureau of Purchases, the purchase, lease or rental of all City vehicles as defined above.
- **d.** Division of Printing and Distribution Services. The Division shall manage all reproduction, mail, distribution and copy services used by the City. The Bureau shall also be responsible for the equipment needed to provide these services. It shall:
 - (1) Provide rapid, convenient reproduction, distribution and mail services, and provide advice and consultation on these services.
 - (2) In cooperation with the Bureau of Purchases, review and approve requests for the lease or purchase of office copy machines.
 - (3) Process U.S. mail and pick up and deliver interoffice mail, packages and

equipment.

- C. Property Rental or Lease Agreements Authority. The Chief Administrative Officer, or designee, is authorized to execute on behalf of the City agreements to rent or lease City-owned property that is being held for future City use; agreements to rent or lease City-owned commercial, industrial or residential property; agreements to lease or rent non-City-owned property for use by the City; renewal of leases or rental agreements; or amendments to leases or rental agreements. The Commissioner in Charge of the Office of Management and Finance is authorized to request the City Attorney to proceed in court as necessary to enforce the provisions of any property rental agreement authorized by this section.
- **D.** Advance Payment of Rentals. In cases where building space has been or shall be rented by the City on lease or on a month to month basis and the owner requires advance payment of rentals or a security deposit, the Auditor hereby is authorized to audit and allow such advance payment of rentals or security deposit, and the Mayor and Auditor are hereby authorized to sign and deliver checks in payment thereof, provided that advance payments of rentals shall be for a period of not to exceed 31 days.
- E. Exclusions from City Parking Garages.
 - 1. Definitions. As used in this Section, unless the context requires otherwise, the following definitions apply:
 - a. "Bureau" means the Bureau of General Services of the City of Portland.
 - **b.** "Commissioner" means the Commissioner in Charge of the Bureau. Wherever this section grants authority to or places responsibility on the Commissioner, that authority or responsibility may be exercised by any person designated by the Commissioner.
 - **c.** "Director" means the Director of the Bureau. Wherever this Section grants authority to or places responsibility on the Director, that authority or responsibility may be exercised by any person designated by the Director.
 - **d.** "City Parking Garage" means any publicly or privately owned real property, and the buildings, structures and facilities thereon, placed under the jurisdiction of the Bureau for parking garage purposes, and includes all land granted to the City for such purposes, including but not limited to those City Parking Garages listed below:
 - (1) 1st & Jefferson Garage located at 123 SW Jefferson Street;
 - (2) 3rd & Alder Garage located at 621 SW 3rd Avenue;
 - (3) 4th & Yamhill Garage located at 818 SW 4th Avenue;
 - (4) 10th & Yamhill Garage located at 730 SW 10th Avenue;
 - (5) O'Bryant Square Garage located at 808 SW Stark Street;
 - (6) Naito & Davis Garage located at 33 NW Davis Street;
 - (7) The Portland Building Garage, located at 1120 SW 5th Avenue.

- e. "Parking Garage Officer" means the person in charge pursuant to ORS 164.205(5), including but not limited to any of the following while acting in the scope of employment, agency, or duty:
 - (1) Any peace officer as defined by Oregon law and any reserve officer of the Portland Police Bureau;
 - (2) Any person providing security services in any City Parking Garage pursuant to any contract with the City or with any person, firm, or corporation managing City Parking Garages on the City's behalf; and/or
 - (3) Any person specifically designated in writing as a Parking Garage Officer by the Commissioner or by the Director.

2. Rules of Conduct.

- **a.** The Bureau has the authority to develop Rules of Conduct and procedures and to enforce the Rules of Conduct. All persons within a City Parking Garage shall obey the Rules of Conduct.
- **b.** Any person who refuses to obey any reasonable direction of a Parking Garage Officer or Rules of Conduct for City Parking Garages may be excluded as provided in PCC 3.15.080 C.3.
- 3. City Parking Garage Exclusions. In addition to other measures provided for violation of the Code, or any of the laws of the State of Oregon, any Parking Garage Officer may exclude any person who violates any Rule of Conduct, while in or upon any City Parking Garage, from all City Parking Garages for a period of 180 days.
 - a. Written notice shall be given to any person excluded from City Parking Garages. The notice of exclusion shall specify the dates and places of exclusion. It shall be signed by the Parking Garage Officer who issued the notice of exclusion. Warning of consequences for failure to comply with the notice of exclusion shall be prominently displayed on the notice of exclusion.
 - **b.** Any person who receives a notice of exclusion shall comply with the notice of exclusion. Failure to comply may result in prosecution for criminal trespass under ORS 164.245.
 - c. A person receiving a notice of exclusion may appeal, in writing, to the Code Hearings Officer in accordance with the provisions of Title 22 of the Code to have the notice of exclusion rescinded. Notwithstanding the provisions of Title 22, the appeal to the Code Hearings Officer shall be filed within 5 days of issuance of the notice of exclusion, unless extended by the Code Hearings Officer for good cause shown. The sworn statement of the Parking Garage Officer who issued the notice of exclusion shall be used as evidence on appeal, unless the appealant requests, in writing, the presence of the Parking Garage Officer at the appeal hearing.

3.15.090 Bureau of Purchases.

(Amended by Ordinance No. 176003, effective October 10, 2001.) The Bureau of Purchases shall be

supervised by a Director who shall report to the CAO and shall include such other employees as the Council may provide. The Bureau shall be responsible for procurement and contractor development. The Purchasing Director shall be responsible for the functions of the Purchasing Agent under the Charter or general law and shall act as Purchasing Agent in all matters requiring action or signature of the Purchasing Agent.

3.15.100 Bureau of Communications and Networking.

(Repealed by Ordinance No. 177852, effective September 3, 2003.)