



ARA 15.02 CITY OFFICIAL REPORTING

A. Purpose

The City of Portland established a lobbying entity regulation program in 2005 to preserve the integrity of the City's decision-making process by requiring entities that engage in efforts to influence City officials to report their lobbying efforts to the public. The program also requires City officials to disclose activities related to lobbying and restrict lobbying by former City officials and employees. This rule provides additional guidance for the reporting of lobbying activities by City officials required by [Section 2.12.070 of the Portland City Code](#).

B. Authority

Section 2-506 of the Portland City Charter authorizes the City Auditor to adopt, amend, and repeal administrative rules to carry out the Auditor's Office's duties. In addition, Code Section 2.12.110 I. authorizes the City Auditor to adopt administrative rules to administer the provisions of the City's lobbying entity regulation program.

C. "At-Will Staff of a City Elected Official"

The [Auditor's Office website](#) will list the City employees who are considered to be "at will staff of a City elected official" for purposes of the City's lobbying registration and reporting requirements. City employees are considered to be "at will staff of a City elected official" if they are in a position that is excluded from the City's classified service and serve as:

1. A Director of a City bureau that is not specifically listed in Code 2.12.120 C.;
2. A Deputy Director of a City bureau, as listed on the Auditor's Office website;
3. A high-level official within the Office of Management and Finance, such as the City Treasurer; or
4. A member of the administrative staff employed in a City Council Office.

D. Gifts

1. For purposes of the City's lobbying registration and reporting requirements:

- a. A “gift” means something of economic value given to a City official without valuable consideration of equivalent value (including full or partial forgiveness of indebtedness), which is not extended to others who are not City officials on the same terms and conditions, or something of economic value given to a City official for valuable consideration less than that required from others who are not City officials.
- b. A “gift” does not mean:
 - i. Campaign contributions, as described in [ORS Chapter 260](#);
 - ii. Cultural items whose market value cannot be easily determined and that are likely to cause offense if declined; or
 - iii. Gifts from family members.
2. [Code Section 2.12.070](#) requires City officials to file written reports documenting any gifts, meals, or entertainment in excess of \$25 received from a lobbying entity or any person authorized to lobby on the lobbying entity’s behalf.
 - a. For purposes of the City’s lobbying registration and reporting requirements, the \$25 threshold is based on a good faith estimate of the fair market value of the gift, meal, or entertainment.
 - b. The fair market value of a gift means the price for attendance, participation, or access to the same item or event that a member of the public would pay.
3. City officials are also required to comply with State law and City rules restricting the acceptance of gifts. See [ORS 244.020 - 244.040](#), [Human Resources Administrative Rule 4.07 – Awards, Gifts, Prizes and Promotional Items](#) and [Auditor’s Office Administrative Rule 3.04.07– Awards, Gifts, Prizes and Promotional Items](#)).

E. Online Reporting System and Training

1. The City Auditor provides an [Online Lobbying Entity Registration & Reporting System](#), which can be accessed via the [Auditor's Office website](#). City officials shall use the online system to file all quarterly reports required under Code Section 2.12.070.

2. The [Auditor's Office website](#) provides written training materials with detailed instructions for accessing the online system and filing quarterly reports. In-person trainings are also available and are recommended for City officials.

F. Posting Calendars

City Elected Officials and City Directors shall publicly post their calendars on their official City websites, in accordance with Code Section 2.12.070 D. The Auditor’s Office will link to their calendars from the Auditor’s Office’s [Lobbyist Regulations & Political Consultant Reporting website](#).

G. Report Filing and Calendar Posting Deadlines

1. City officials must file required quarterly reports by the 15th day after the end of the preceding calendar quarter.
 - a. Elected officials must file a quarterly report every quarter, regardless of whether gifts, meals, or entertainment exceeding \$25 were received or requested.
 - b. City officials other than elected officials are not required to file a quarterly report if they did not receive any gifts, meals, or entertainment exceeding \$25 or request any City gifts or donations in the preceding calendar quarter.
2. A City official may amend a quarterly report without penalty if the official files the amended report within 25 calendar days after the end of the calendar quarter.
3. Elected officials and City directors must post their calendars, showing all activities required under Code 2.12.070 D, to their official City website by the 15th day after the end of the preceding calendar quarter. Elected officials and City Directors must also notify the Auditor’s Office of the web address for their calendar by this date.
4. Calendar Quarters, Reporting Periods and Filing Dates:

<u>Q</u>	<u>Reporting Period</u>	<u>Report/Calendar Posting Due</u>	<u>Last Day for Amendments</u>
1	Jan 1 - Mar 31	April 15	April 25
2	April 1 - June 30	July 15	July 25
3	July 1 - Sept 30	October 15	October 25
4	Oct 1 - Dec 31	January 15	January 25

5. The filing deadlines shall be 5 p.m. on the last day to file a report or post a calendar, provided that if the deadline falls on a Saturday, Sunday, or official City holiday, the due date shall be the next business day at 5 p.m.
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Auditor's Office Administrative Rule Information and History

Questions about this administrative rule may be directed to the [Lobbying Regulations and Political Consulting Reporting Program](#).

Adopted by the City Auditor and filed in the PPD on June 8, 2006.

Amended rule adopted by the City Auditor and filed in the PPD on January 12, 2007.

Amended rule adopted by the City Auditor and filed in the PPD on January 7, 2008.

Amended rule adopted by the City Auditor and filed in the PPD on April 29, 2014.

Amended rule adopted by the Chief Deputy City Auditor and filed in the PPD on November 7, 2016.

Last revised by the City Auditor on *Click to enter date*.