

ORDINANCE No.

Establish reporting requirements for political consultants (Ordinance; add Code Chapter 2.14).

The City of Portland ordains

Section 1. The Council finds:

1. The City of Portland is committed to open, transparent and accountable government.
2. In furtherance of that commitment, the City Council adopted new rules governing the conduct of lobbyists and City officials in 1994. Ordinance no. 167619, effective May 4, 1994, adopted Code Chapter 1.03.
3. In 2005, the City Council established new reporting requirements for City elected officials to provide more sunshine on legislative and administrative decision-making at the City. Ordinance no. 179843, passed December 21, 2005 and effective April 1, 2006, adopted Code Chapter 2.12.
4. While Code Chapter 2.12 provided reforms that strengthened the transparency of City elected officials' involvement with lobbying activities, it did not address an important class of persons or entities who may influence public policy beyond the public's oversight: Political Consultants.
5. City elected officials, specifically the Mayor and City Commissioners, must uphold the public trust and confidence in government by being transparent in policy decisions.
6. Candidates for City elected offices and elected officials engage Political Consultants as advisors.
7. In providing political consulting services which include campaign management and political strategy services, a Political Consultant has unrestricted confidential access to elected official clients.
8. Unlike the existing transparency regarding City elected officials and registered lobbyists who must file reports pursuant to Code Chapter 2.12, currently the public has limited access to information concerning the relationship between a City elected official and the official's Political Consultant.
9. In order to spotlight the relationship of a City elected official and the official's Political Consultant so that the public can identify who may have access and potential influence over the City's decision-makers, it is important to establish registration and reporting requirements for Political Consultants and City elected officials.

10. The new Chapter's requirement builds on the reforms pioneered in San Francisco, adapting and right-sizing their campaign consultant regulations for Portland.
11. It does not regulate the content and viewpoint of the services provided to the City elected official.
12. The new Chapter will require reporting on the relationships between Political Consultants and elected or appointed officials.
13. The Council intends to provide a grace period following the effective date of the ordinance to allow the Auditor to build public awareness about the ordinance and to develop adequate reporting mechanisms and administrative rules under Chapter 2.18.
14. Implementation of the Chapter will commence on September 1, 2016, and will require relevant persons to report on their activities for the quarter prior to the implementation date.

NOW, THEREFORE, the Council directs:

- a. City Code Title 2 is amended by adding a new Chapter 2.14 *Reporting by Political Consultants* as set forth in the attached Exhibit A to this ordinance.
- b. From the ordinance effective date until the implementation date of September 1, 2016, the Auditor will build public awareness about the ordinance and develop reporting mechanisms and administrative rules under Chapter 2.18.
- c. Any statements filed on or after the implementation of September 1, 2016 shall pertain to relevant activities for the quarter prior to reporting.

Passed by the Council:

Commissioner Nick Fish
Prepared by: J. Blackwood
Date Prepared: March 28, 2016

Mary Hull Caballero
Auditor of the City of Portland
By

Deputy