

# Notice of Measure Election

City

26-189

SEL 802

rev 01/16 ORS 250.035, 250.041, 250.275, 250.285, 254.095, 254.465

**Notice**

<b>Date of Notice</b> 02/27/2017	<b>Name of City or Cities</b> City of Portland	<b>Date of Election</b> 5/16/2017
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**Final Ballot Title** The following is the final ballot title of the measure to be submitted to the city's voters. The ballot title notice has been published and the ballot title challenge process has been completed.

**Caption** 10 words which reasonably identifies the subject of the measure.  
See attached

**Question** 20 words which plainly phrases the chief purpose of the measure.  
See attached

**Summary** 175 words which concisely and impartially summarizes the measure and its major effect.  
See attached

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17 FEB 27 PM 2:52  
TIM SCOTT  
DIRECTOR OF ELECTIONS

**Explanatory Statement** 500 words that impartially explains the measure and its effect.


If the county is producing a voters' pamphlet an explanatory statement must be drafted and attached to this form for:  
→ any measure referred by the city governing body; or  
→ any initiative or referendum, if required by local ordinance.

Explanatory Statement Attached?  Yes  No

**Authorized City Official** Not required to be notarized.

<b>Name</b> Deborah Scroggin	<b>Title</b> City Elections Officer
<b>Mailing Address</b> 1221 SW 4th Ave. Rm 320 Portland, OR 97204	<b>Contact Phone</b> 503-823-3546

*By signing this document:*  
→ I hereby state that I am authorized by the city to submit this Notice of Measure Election; and  
→ I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.

  
Signature

2/27/17  
Date Signed

FEB24 05:14 PM

AUDITOR

37265  
EXHIBIT B

**BALLOT TITLE**

**CAPTION:**

Amends Charter: Increases Auditor's independence from audited agencies, adds duty.

**QUESTION:**

Shall Charter be amended to increase City Auditor's independence from audited agencies and include Auditor's authority to investigate City agencies?

**SUMMARY:**

The measure changes Charter provisions regarding the elected City Auditor, which were last updated in 1994. The Auditor's responsibilities have expanded since then to include more oversight functions, such as the ombudsman and lobbyist registration. Currently, the Auditor relies on and sometimes must seek permission from City agencies subject to the Auditor's oversight for legal, personnel, procurement, and budget services.

The measure increases the Auditor's independence by: allowing the Auditor to seek advice from independent legal counsel, giving the Auditor more autonomy over staffing decisions, designating the Auditor as a contracting agency, and authorizing the Auditor to submit budget requests directly to the City Council without review by an audited City agency. The measure requires periodic external reviews of the Auditor's Office.

The measure also establishes in Charter the Auditor's ombudsman function, which conducts impartial investigations into the public's complaints against City agencies. Currently, the ombudsman operates under authority granted in code. It has been in the Auditor's Office since 2001 and is a core component of the Auditor's oversight responsibilities.

Other provisions.

### Measure Explanatory Statement for County Voters' Pamphlet

**Important! Please read all instructions before completing this form.** This form is to be used when filing a 'Measure Explanatory Statement for County Voters' Pamphlet' with your County Elections office. If a local government is located in more than one county, the county clerk of the county in which the city hall of the city or the administrative office of the local government is located shall be the filing officer for the 'Measure Explanatory Statement for County Voters' Pamphlet'.

#### Filing Information

Election:  Primary 20\_\_\_\_  General 20\_\_\_\_  Special May 16, 2017 Measure # 26 - 189

#### Ballot Title Caption

Amends Charter: Increases Auditor's independence from audited agencies, adds duty.

Name of Person responsible for content of 'Explanatory Statement' (as it should appear in the Voters' Pamphlet):

## Portland City Auditor Mary Hull Caballero

Name of Jurisdiction/Organization Person is authorized to represent (as it should appear in the Voters' Pamphlet):

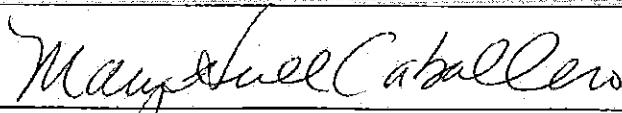
City of Portland

#### CONTACT INFORMATION

Phone: Cell: (503) 388-1251 Work: \_\_\_\_\_ Home: \_\_\_\_\_

E-Mail: PDXcharter2017@gmail.com

#### SIGNATURE



Signature of person responsible for content of 'Explanatory Statement'

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17 FEB 27 PM 2:53  
DMS/SCOTT  
DIRECTOR OF ELECTIONS

#### MEASURE EXPLANATORY STATEMENT

See attached for 'Measure Explanatory Statement' (500 word/number MAX).

#### For Office Use only:

County: Multnomah

Signed?  Yes  No

'Measure Explanatory Statement' attached?

Yes  No

Intake Staff Initials:



Word Count (500 max):

Digital copy?  Yes  No

Review Staff Initials:



## **Explanatory Statement**

Portland's elected City Auditor is responsible for ensuring an open and accountable City government. This measure would amend the City's Charter to increase the independence of the Auditor from the City agencies the Auditor is responsible for auditing and investigating.

## **Background**

The Auditor's responsibilities have expanded over the last several decades to include more oversight functions, such as performance audits, investigations of the public's complaints against City agencies, and enforcement of the City's lobbyist registration program. Charter provisions related to the City Auditor were last updated in 1994.

Currently, the City Auditor relies on and sometimes must seek permission from City agencies subject to the Auditor's oversight for legal, personnel, procurement, and budget services. This arrangement may lead to the perception that there is a conflict of interest and that the City Auditor's audits and investigations are not completely objective or independent.

The City Auditor proposed this measure after researching other jurisdictions and collecting information from a variety of sources. The City Council unanimously voted to refer the measure to the ballot.

## **What does the measure do?**

The measure increases the Auditor's independence from City agencies it is responsible for auditing and investigating by:

- Allowing the Auditor to seek advice from independent legal counsel;
- Giving the Auditor more autonomy over staffing decisions, such as hiring, compensation and assignment of work (subject to collective bargaining obligations);
- Designating the Auditor's Office as a contracting agency so that it may conduct procurements without going through a City agency; and
- Authorizing the Auditor to submit budget requests directly to the City Council.

The measure contains checks on the Auditor's increased independence by:

- Requiring periodic external reviews of the Auditor's Office, the results of which will be made public;
- Requiring the Auditor to notify the public and provide an opportunity to comment before adopting or changing any administrative rules;

- Requiring the Auditor to adopt policies and rules consistent with the City's workplace and procurement policies, except where the City's policies impair the Auditor's independence; and
- Continuing the City Council's role of monitoring and setting the Auditor's budget.

The measure also adds the Auditor's ombudsman function to the list of the Auditor's duties under Charter. The ombudsman has been in the Auditor's Office since 2001 and is responsible for conducting impartial investigations into the public's complaints against City agencies. Currently, the ombudsman operates under authority granted in code.

The measure establishes the ombudsman function in Charter by:

- Providing in Charter the basic duties and powers of the ombudsman to investigate City agencies, including the power to access any information and records required to investigate a complaint; and
- Requiring a vote of the people to remove the ombudsman function, rather than a vote of the City Council.

Submitted by:

Auditor Mary Hull Caballero  
City of Portland