



CITY OF

PORTLAND, OREGON

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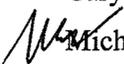
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MEMORANDUM

To: Mayor Tom Potter
Commissioner Sam Adams
Commissioner Randy Leonard
Commissioner Dan Saltzman
Commissioner Erik Sten

Via: Gary Blackmer, City Auditor 

From:  Michael Mills, Ombudsman

Date: April 27, 2007

Subject: Use of City resources to promote Nonprofits

The Ombudsman Office has received several complaints pertaining to the use of City Internet Technologies including email and web pages to endorse or support activities that may not be directly related to the conduct of City business. There has also been concern raised over for-profit commercial endorsements and non-profit announcements.

The City's Human Resource Administrative Rule 4.08 addresses this subject in the context of the City's Internet Technologies. Determining when an endorsement or support via the City's internet technologies, including email, is warranted, however, has proven difficult to define. We have found situations where we believe messages should not have been sent via City email based on the HR Administrative Rules. A result of our raising these issues was an amendment several years ago to the HR Rules to allow an exemption to be granted, "if such information is central to a bureau's mission and meets stated Council goals and objectives. The exception must be pre-approved by the Commissioner-in-Charge." This exemption by the Commissioner-in-Charge provides more consistent scrutiny and accountability in allocating City resources to assist outside entities.

It is also important to avoid the appearance of impropriety or favoritism. This is addressed both in the HR Administrative Rules on Ethics and in the City's Ethics Code. Of concern here is the use of work time and/or other City resources to support non-profit organizations. We estimate that there are over 20,000 non-profit organizations in the metro area and, while we do not advocate for a formal screening and selection process, some Portland official should be responsible for explaining the basis of selection.

The approval process, outlined above, has not been uniformly followed. I recommend that City Commissioners direct their bureaus to consistently follow the process in 4.08 and seek commissioner approval in advance of allowing City information technologies to be used for such purposes. I suggest that in those instances where approval is granted, the message or announcement contain a mention of the Commissioner as a sponsor or endorser. This will help instill the practice of obtaining approval.

While not directly addressed in the HR Administrative Rules, as a matter of best practice it may also be helpful to ask for Commissioner-in-Charge approval when multiple staff commit their work time for the mutual benefit of a non-profit and the City.

Thank you for your consideration. We are available to discuss this issue in more detail.