

ORDINANCE No. 178616 AS AMENDED

* Establish a new City bureau known as the Portland Office of Emergency Management (POEM). (Ordinance; amend Code Titles 3 and 15)

The City of Portland ordains:

Section 1. The Council finds:

1. Recent emergency or disaster events, both natural and human-caused, occurring in Portland and elsewhere, have identified the need for coordinated efforts within the City to prepare for and respond to such events.
2. Increased national attention to protecting citizens from the threat of terrorist acts has expanded the responsibility of local emergency management agencies to include homeland security programs and activities.
3. Federal, state and local funds available for addressing such events have been and should continue to be provided and accounted for in an effective and comprehensive manner.
4. In the FY 03/04 adopted budget, City Council created a new City bureau known as the Portland Office of Emergency Management to consolidate the City's emergency preparedness functions.
5. In the FY 03-/04 adopted budget, City Council also transferred emergency management and Emergency Operations Center functions and funding from the Bureau of Fire & Rescue to the Portland Office of Emergency Management and approved the assignment of two positions from the Bureau of Fire & Rescue and two positions from the Police Bureau.
6. The efforts of City bureaus to prepare for and mitigate the impact of a citywide emergency or disaster on the citizens of Portland must be coordinated for optimal effectiveness.
7. In responding to and managing the consequences of such an event, the use of City personnel and other City resources must also be coordinated for optimal effectiveness.
8. The protection of vulnerable City resources such as employees and facilities, among others, must be provided through the coordinated efforts of all City bureaus.

NOW, THEREFORE, the Council directs:

- a. Title 3 of the City Code is amended by the addition of a new City bureau, known

as the Portland Office of Emergency Management (POEM) as shown in Exhibit A to the Ordinance.

- b. Title 15 of the City Code is amended to further clarify the roles and responsibilities of the Mayor, Portland Office of Emergency Management, and other City bureaus as shown in Exhibit B to this Ordinance.

Section 2. The Council declares that an emergency exists because a delay in establishing the new bureau and further clarifying roles and responsibilities for emergency management functions may weaken the City's ability to plan for and respond to the next major event; therefore, this ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: July 21, 2004

Portland Mayor Vera Katz
Prepared by: Elise Marshall
July 13, 2004

GARY BLACKMER
Auditor of the City of

By: /s/ Susan Parsons
Deputy

BACKING SHEET INFORMATION

AGENDA NO. 869-2004

ORDINANCE/RESOLUTION/COUNCIL DOCUMENT NO. 178616 AS AMENDED

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
FRANCESCONI	X	
LEONARD	X	
SALTZMAN	X	
STEN	X	
KATZ	X	

EXHIBIT A

Chapter 3.124

PORTLAND OFFICE OF EMERGENCY MANAGEMENT

Sections:

3.124.010	Definitions
3.124.020	Portland Office of Emergency Management
3.123.030	Purpose
3.124.040	Organization
3.124.050	Director's Powers and Duties
3.124.060	Staff and Delegation

3.124.010 Definitions

- A. "Director" shall mean the director of the Portland Office of Emergency Management.
- B. "Disaster" means an occurrence of or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural, technological or human caused event including fire, flood, earthquake, windstorm, wave action, oil spill or other contamination, radioactive incident, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile or paramilitary action, or structure failure of a dam, building or infrastructure, or other public calamity requiring emergency action.
- C. "Disaster Policy Council" is the City's policymaking body which oversees the emergency preparedness activities of the various city bureaus, ensuring unity of purpose. This includes preparation and approval of plans, training of city employees for emergency and disaster-related functions, and related emergency preparedness activities.
- D. "Emergency" means any human caused, technological or natural event or circumstance causing or threatening: loss of life, injury to persons or property, human suffering or financial loss including but not limited to fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills or releases of petroleum products or other hazardous material, contamination, utility or transportation emergencies, disease, blight, infestation, unmanageable crisis, influx of migrants, civil disturbance, riot, sabotage and war.
- E. "Emergency Management Committee" shall be a committee made up of designated bureau emergency coordinators established to develop and implement

plans, programs and training exercises to promote integrated disaster response efforts.

3.124.020 Portland Office of Emergency Management

There is established by the City Council the Portland Office of Emergency Management as a part of the Mayor's portfolio and charged with the implementation of Title 15, the Emergency Code.

3.124.030 Purpose

The purpose of this office is to coordinate the City's ability to address, and its long range planning for having to address, emergency situations. These efforts may be accomplished by direction from this office alone or in conjunction with plans and efforts from other City offices and bureaus, state and federal agencies and any other sources of assistance and planning.

3.124.040 Organization

The Portland Office of Emergency Management (POEM) shall be directly responsible to the Mayor and, thereafter, to the City Council. Professional task forces, as deemed necessary by the Mayor, the Council or the POEM, as well as citizen committees, appointed by City bureau emergency management authorities and regional emergency management professionals may provide subject matter expertise in an advisory capacity to the POEM. Other City Bureaus shall provide the POEM with necessary information and assistance in the time of emergency and include, but are not limited to, the Bureau of Fire and Rescue, Police Bureau, Bureau of Water Works, Office of Transportation, Bureau of Maintenance, Bureau of Parks and Recreation, and the Bureau of Emergency Communications.

3.124.050 Director's Powers and Duties

The Director of the Portland Office of Emergency Management shall:

- A. Be responsible for managing the Office of Emergency Management;
- B. Serve as the principle strategic advisor to the Mayor and Council on emergency management matters regarding the City's preparedness and the plans for mitigation, response and recovery to and from natural and human caused emergencies;
- C. Lead and direct the activities of the City's Emergency Management Committee;
- D. Oversee and participate in the coordination, development and maintenance of the City's overall Comprehensive Emergency Management Plan;
- E. Be responsible for integrating emergency response related activities and programs both within the City and with outside organizations and agencies;

- F. Review and propose amendments as necessary to all existing City emergency preparedness and management plans and, as appropriate, provide Council with the documentation necessary for its review and approval of the same.

3.124.060 Staff and Delegation

- A. The Director may appoint an Assistant Director who is accountable to the Director and other personnel necessary to carry out the provisions of this chapter, when in keeping with the adopted budget for the Portland Office of Emergency Management.
- B. The Director may delegate to his or her staff members any of the Director's duties when the Director is not available or able to perform those duties.
- C. The Assistant Director shall succeed to all duties and responsibilities of the Director, including those specified by ordinance, when the Assistant Director is serving as the acting Director.

Chapter 3.125

DISASTER POLICY COUNCIL

Sections:

- 3.125.010 Disaster Policy Council
- 3.125.020 Powers and Duties
- 3.125.030 Membership
- 3.125.040 Staff Support to Disaster Policy Council

3.125.010 Disaster Policy Council

There is hereby created a Disaster Policy Council charged with providing policy oversight of integrated citywide emergency preparedness activities and initiatives.

3.125.020 Powers and Duties

It shall be the duty of the Disaster Policy Council, and it is empowered, to review and recommend for adoption by the City Council, all emergency, disaster and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements. The Disaster Policy Council shall also be empowered to register volunteer disaster workers. The Disaster Policy Council shall meet biannually or upon call of the Mayor, or in his/her absence from the City or inability to call such a meeting, upon call of the vice chair.

3.125.030 Membership

The Disaster Policy Council shall consist of the following members:

- A. The Mayor, who shall be Chair;
- B. Commissioner serving as President of the City Council, who shall be Vice Chair;
- C. City Attorney;
- D. Chief of Portland Police Bureau;
- E. Chief of Portland Fire & Rescue;
- F. Director, Portland Office of Emergency Management;
- G. Director, Bureau of Emergency Communications;
- H. Director, Portland Office of Transportation;
- I. Director, Bureau of Maintenance;
- J. Chief Administrative Officer;
- K. Director of Human Resources;
- L. Director, Bureau of Technology Services;
- M. Director, Bureau of Development Services;
- N. Director, Bureau of Environmental Services;
- O. Director of Facilities Services;
- P. Director, Bureau of Parks & Recreation; and
- Q. Director, Bureau of Water Works.

3.125.040 Staff Support to Disaster Policy Council

The Portland Office of Emergency Management shall provide staff support to the Disaster Policy Council including meeting schedules, agendas and minutes.

Chapter 3.126

EMERGENCY MANAGEMENT COMMITTEE

Sections:

- 3.126.010 Powers and Duties of the Emergency Management Committee
- 3.126.020 Emergency Management Committee Chair
- 3.126.030 Membership
- 3.126.040 Staff Support to Emergency Management Committee

3.126.010 Powers and Duties of the Emergency Management Committee

There is hereby created an Emergency Management Committee made up of designated bureau emergency coordinators charged with developing and, after approval by the Disaster Policy Council and City Council, as appropriate, implementing plans, programs and training exercises to promote integrated disaster response efforts. The Emergency Management Committee will provide operational direction for implementation of the programs and policies established by the Disaster Policy Council.

3.126.020 Emergency Management Committee Chair

The Emergency Management Committee shall be chaired by the Director, Portland Office of Emergency Management, or in his/her absence by the Assistant Director, POEM. The Emergency Management Committee shall meet quarterly or upon call of the Chair, or in his/her absence from the City, upon call of the Assistant Director, POEM.

3.126.030 Membership

The Emergency Management Committee shall consist of designated bureau emergency coordinators. Emergency coordinators shall be designated by bureau directors and shall be senior managers who are knowledgeable about their respective bureau mission and operations. Bureau directors shall be responsible for notifying the Portland Office of Emergency Management if there is a change in their designated bureau emergency coordinator.

3.126.040 Staff Support to Emergency Management Committee

The Portland Office of Emergency Management shall provide staff support to the Emergency Management Committee.

EXHIBIT B

Section 15.04.030, Definitions, is amended as follows:

- A. “Disaster” means an occurrence ~~of~~ or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural, technological or human-made ~~caused~~ event including fire, flood, earthquake, windstorm, wave action, oil spill or other contamination, radioactive incident, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile or paramilitary action, or ~~structure~~ structural failure of a dam, building or infrastructure, or other public calamity requiring emergency action.
- B. “Emergency” means any human-made ~~caused~~, technological or natural event or circumstance causing or threatening: loss of life, injury to persons or property, human suffering or financial loss including but not limited to fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills or releases of petroleum products or other hazardous material, contamination, utility or transportation emergencies, disease, blight, infestation, unmanageable crisis, influx of migrants, civil disturbance, riot, sabotage and war.
- C. “State of ~~e~~Emergency” means a situation which involves an emergency or a disaster.
- D. “Incident Commander” means the person in command of an incident response according to the Incident Command System.

Section 15.04.040 (A) is amended as follows:

- 3. The Mayor or other City official, as provided in PCC Portland City Code Section 15.08.010, has declared that a state of emergency or disaster exists by proclamation.

The remainder of this section is unchanged.

Section 15.08.010 (A) , Mayor and Successor to Mayor, is amended as follows:

- 4. The first of the City officials in the order listed in Section 2-206(g) of the Charter of the City of Portland (City Auditor, City Attorney, Director of Office of Management and Finance, executive assistants of disabled Council members in the order of their seniority as an executive assistant).

The remainder of this section is unchanged.

Section 15.08.020 (B), Authority, is amended as follows:

2. Designate persons to coordinate the work of public and private relief agencies operating in the area and exclude from the area, any person or agency refusing to cooperate and work under the ~~Coordinator~~ Director and/or Incident Commander or to coordinate with other agencies engaged in the emergency work.

13. Enter into contracts to the extent authorized by Charter Sections 8-104 and 8-105, ~~PCC 8.104 and 8.105~~.

The remainder of this section is unchanged.

Section 15.12.010, Organization, is amended as follows:

The Office of Emergency Management shall be directly responsible to the Mayor and shall be supervised by the ~~City Fire Chief~~. Director of the Office of Emergency Management.

Section 15.12.020, Duties, is amended as follows:

(Amended by Ordinance No. 176955, effective October 9, 2002.) It shall be the responsibility of the Office of Emergency Management to recommend to the City Council a basic emergency services plan to assist the Mayor in the performance of his/her duties by this Code. In order to develop and maintain a basic emergency services plan, the duties of the Office of Emergency Management shall include, but not be limited to the following:

- A. ~~To have the~~ The authority to ~~and~~ cause those officials of City departments, bureaus or offices with emergency services capabilities to prepare coordinated annexes to the basic emergency services plan. Such departments, bureaus, and offices shall include, but not be limited to, the following:
 1. Bureau of Environmental Services;
 2. ~~Office of Finance and Administration~~ Office of Management and Finance;
 3. Bureau of Fire and Rescue, ~~Rescue & Emergency Services~~;
 4. Bureau of Maintenance;
 5. Bureau of Police;

6. Bureau of Water Works;
7. Bureau of Emergency Communication;
8. Bureau of General Services; and
9. Bureau of Development Services;
10. Bureau of Parks and Recreation.

- ~~B.~~ ~~To provide~~ Providing a plan for the procurement of personnel, equipment, material and supplies from City and private sources, for use in the event of a state of emergency, and to provide for the accounting of the procurements.
- ~~C.~~ ~~To provide~~ Providing a plan for the coordination of emergency plans, programs and operations of federal, state and county agencies, and other public or private agencies and corporations with emergency service capabilities.
- ~~D.~~ Overseeing the development of the City's Emergency Operations Center and ensuring that it is available, secure and usable by ensuring it is appropriately sited, stocked, equipped, and maintained; and scheduling regular testing procedures to ensure operation efficiency.
- ~~DE.~~ ~~To annually review~~ Annually reviewing the basic emergency services plan and submitting to the City Council, during the month of ~~December~~ January each year, the results of the review and any recommendations for revision.
- ~~EF.~~ To provide for, with the consent of the Council, coordinated operations under simulated state of emergency conditions.
- ~~FG.~~ ~~To provide~~ Providing training and exercises to keep city emergency responders proficient in their emergency response and recovery roles and skills.
- ~~H.~~ Coordinating citywide homeland security programs and activities in compliance with State and Federal requirements.
- ~~I.~~ Evaluating emergency or disaster events and coordinating bureau and City response; promoting inter-bureau coordination of services and response.
- ~~J.~~ Coordinating the identification and implementation of actions that could mitigate any disaster's impact.