



OFFICE OF MAYOR
TED WHEELER

City of Portland

IN THE MATTER OF THE) Emergency Declaration to
LOCAL EMERGENCY) Expedite Post-Pandemic Recovery
WITHIN THE CITY OF PORTLAND) By Coordinating Efforts to Clean
DECLARED ON AUGUST 17, 2022) Public Spaces

WHEREAS, since March 2020, the City has had to manage through a global pandemic that impacted nearly every aspect of life in Portland; and

WHEREAS, during the pandemic, the City experienced an increase in waste, debris dumping, and accumulation in public spaces, graffiti, abandoned vehicles, and other unsanitary or unsafe conditions; and

WHEREAS, the public health guidance and restrictions in place during the pandemic limited the City's ability to effectively respond to the accumulation of trash, graffiti, abandoned vehicles, and other unsanitary and unsafe conditions; and

WHEREAS, the trash, graffiti, abandoned vehicles, and other unsanitary and unsafe conditions also accumulated and worsened in part because residents could not circulate as openly in many public spaces during the pandemic; and

WHEREAS, the City's public right of way and publicly owned property is a significant percentage of the City's total surface area; and

WHEREAS, the emergency declarations by the City, Multnomah County, and State of Oregon all ended as of April 1, 2022, marking a new phase in the region's post-pandemic recovery efforts; and

WHEREAS, as the City emerges from the pandemic, there is increased urgency and need to remove the trash, graffiti, abandoned vehicles and other unsanitary and unsafe conditions from public spaces to promote recovery from the unprecedented challenges of the past two years; and

WHEREAS, the City of Portland needs to organize itself to address the necessary citywide clean-up effort to maximize results from the City's limited resources and personnel; and

WHEREAS, it is imperative that the City pull together its decentralized City programs and services into a collaborative team under a coordinated emergency incident command structure to expedite the cleaning of trash, graffiti, abandoned vehicles, and other unsafe and unsanitary conditions across public spaces and public interfaces (i.e., private buildings), and to establish preventative and stabilizing measures to aid in the further recovery of public spaces; and

WHEREAS, pursuant to the Portland City Charter Section 2-302, the Mayor is authorized to assign and reassign bureaus and liaison responsibilities during non-emergencies including assigning City bureaus to the administration under the Mayor as the commissioner-in-charge; and

WHEREAS, under Portland City Code Chapter 15.08, the Mayor has authority to centralize control and authority over all bureaus, departments, and other offices and vest power in the Mayor upon declaration of a State of Emergency; and

WHEREAS, pursuant to Portland City Code Chapter 15.08.020, with a State of Emergency Declaration, the Mayor is authorized to direct the coordination of the City's resources, including its programs and personnel, to work collaboratively under a centralized manager who serves as the designee of the Mayor; and

WHEREAS, pursuant to Portland City Code Chapter 15.08.20(11), the Mayor is authorized to hire staff and contractors in an expedited manner as may be necessary to protect the life, safety and health of persons, property or the environment; and

WHEREAS, the City bureaus and programs will continue to use their own funds, where appropriate, to expand and provide for the cleaning of trash, graffiti, abandoned vehicles, and other widespread unsafe and unsanitary conditions that invoke financial loss and human suffering.

THEREFORE, pursuant to my authority under the Portland City Charter, City Code, and any other applicable law, I hereby Order as follows:

- 1. State of Emergency.** A State of Emergency exists throughout the entire City of Portland under Portland City Code Section 15.04 to remedy the threats to

personal health and public property caused by trash, graffiti, abandoned vehicles and structures, and other unsafe and unsanitary conditions and to centralize City responses and services to address this emergency.

2. **Centralization of City Programs.** To stabilize and expedite the cleaning of trash, graffiti, abandoned vehicles and structures, and other unsafe and unsanitary conditions in the City and prevent such conditions reoccurring, pursuant to the authority of PCC 15.08.020 during a State of Emergency, and notwithstanding the Mayor's existing Executive Orders directing the assignment of City bureaus and departments to specific commissioners, the following City programs within the assigned bureaus will be under the Mayor's authority for purposes of reprioritizing the work and assignments of personnel, including:
 - Office of Community and Civic Life, as to its Graffiti Abatement Program, its Neighborhood Associations and Coalitions, and Noise Officer.
 - Portland Bureau of Transportation, as to its Parking Enforcement and Operations (abandoned autos, derelict RVs, parking meters, ESD Agreements), its Maintenance Office (street cleaning, green spaces, e-response, dispatch), Right of Way Management and Permitting (permitting, compliance, Portland Mall Management), and Public Activation Program.
 - Portland Parks and Recreation, as to its Professional Repair and Maintenance Services and Land Stewardship Division.
 - Bureau of Planning & Sustainability, as to its Public Trash Can Program and Garbage Haulers and its data mapping and analytics technical services program.
 - Bureau of Development Services, as to its Nuisance Abatement and Code Compliance program.
 - Office of Equity and Human Rights, as to its ADA compliance work.
 - Portland Water Bureau, including its property managers.
 - Bureau of Environmental Service, as to its Pollution Prevention RV Pump Out pilot program.
 - Procurement Services as to streamlining contracts, materials, and other services necessary to meet community cleanliness standards.
3. Except for the programs specified above as being assigned under the centralized direction of the Mayor's designee, the bureaus remain assigned to the previously identified commissioner for all other administrative purposes pursuant to the Mayor's existing Executive Orders assigning bureaus.
4. This Emergency Order does not change the employment status of City employees directed to perform work for the programs listed in Paragraph 2; employees assigned to perform work for the programs shall perform the same type of duties as listed in their classification specification; additionally, assigned employee

shall remain under their existing supervision and management for all purposes other than receiving direction by the Mayor's designee for work related to addressing the purposes of this Emergency Declaration.

5. **Mayor's Designee.** The City's Public Environment Management Office (PEMO) Director, and through its PEMO Incident Commander, shall serve as the Mayor's designee under this Emergency Declaration. Each commissioner and bureau director shall cooperate and support the Mayor's designee in the centralization of City resources and efforts related to addressing the purposes of this Emergency Declaration. In addition to other priority tasks, the Mayor's designee will undertake to:

- Designate Focused Service Zones in each section of the City to focus and prioritize the coordinated efforts of the programs listed in Paragraph 2.
- Assign coordinators and other staff for each Focused Service Zone to coordinate, monitor, and seek prioritization of resources to perform the work in the respective zones to address the purposes of this Emergency Declaration; provided, however, that the Mayor's designee shall have ultimate responsibility to coordinate work, monitor progress, and prioritize available resources.
- Ensure the mission of the declaration is carried out by establishing a workplan and dashboard for internal and external use in cooperation with other relevant entities.
- Coordinate with METRO-RID and Vector Control programs to ensure the efficient use of resources and eliminate and avoid redundancies.
- Ensure preventative measures are in place such as activating public spaces with positive means such as food carts, planters, more positive barriers, or reconfiguration of the public space.
- Coordinate with government and nonprofit partners to endeavor to provide services related to cleaning trash, graffiti, abandoned vehicles and structures, or other unsafe or unsanitary conditions, such as ODOT and SOLVE.
- Coordinate closely with the Street Services Coordination Center's Incident Commander as to relevant programs and services.

6. The Bureau of Human Resources is directed to work with the Mayor's designee to expedite hiring of personnel in support of the programs listed in Paragraph 2.

7. The City Budget Office is directed to prioritize allocation of resources in support of the programs listed in Paragraph 2, including supporting budget adjustments or identifying alternate funding resources.

8. Other Provisions.

- a. In addition to any other power that may lawfully be exercised by local government, the powers listed in PCC 15.08.020.B are vested in the Mayor.
- b. This State of Emergency shall remain in effect through 5:00 p.m. on August 31, 2022, unless otherwise extended, modified, or terminated.

9. Severability: If any provision of the Declaration of Emergency, or any Emergency Orders, directives, commands, or other orders issued under the authority of the Declaration, or their application to any person or circumstance is held to be invalid, then the remainder of the duly exercised authority, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of the Declaration of Emergency, or any Emergency Orders, directives, commands, or other orders issued under the authority of the Declaration, are severable.

IT IS SO ORDERED:

**Dated this 17th day of August 2022
City of Portland, Oregon**

By: _____



Ted Wheeler, Mayor

APPROVED AS TO FORM:

Robert Taylor, City Attorney
For Portland, Oregon