



**OFFICE OF MAYOR  
TED WHEELER**

**City of Portland**

**IN THE MATTER OF THE )  
LOCAL EMERGENCY )  
WITHIN THE CITY OF PORTLAND )  
DECLARED FOR AUGUST 13-18, 2023 )** **Emergency Declaration Due to  
Extreme Heat  
"ED-2023-05"**

**WHEREAS**, the Portland metropolitan area is forecast to experience extreme heat that threatens the City's residents, beginning on August 14, 2023, and continuing through August 17, 2023; and

**WHEREAS**, the forecast predicts the temperature will reach as high 101 degrees on Monday, August 14, 2023; and

**WHEREAS**, the National Weather Service has issued an excessive heat warning beginning Sunday August 13, 2023, through Thursday August 17, 2023, and

**WHEREAS**, several City bureaus are below normal staffing levels; and

**WHEREAS**, the inclement weather also poses a risk of power outages, and other interruptions in utility services; and

**WHEREAS**, the emergency caused by inclement weather is also compounded by the existing Housing Emergency; and

**WHEREAS**, the following conditions exist, or are projected to exist, justifying an emergency declaration due to inclement weather: emergency shelters becoming overwhelmed, transit service disrupted, City's critical facilities significantly disrupted, resources for cooling supplies for vulnerable people becoming depleted, emergency workers unable to travel, and City bureau's staffing levels become insufficient; and

**WHEREAS**, the City of Portland must marshal any and all available resources to confront the immediate threats posed by inclement weather to the city and its inhabitants.

**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 within the City of Portland City Code Chapter 15.04 effective at **8:00 a.m. on Sunday August 13,2023.**

**2. Mayor's Designee.** The Director of the Bureau of Emergency Management or their designee 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:

- a. Ensure an expedited and coordinated response to the impacts of the excessive heat.
- b. Shall have all authority authorized under Portland City Code 5.33.135, including but not limited to, the authority to award Emergency Procurement Contracts without competition for the acquisition of goods, services, construction services, and public improvements for the purpose of responding to this Emergency Declaration. Notwithstanding the conditions and limitations of Subsections Portland City Code 5.33.130.E and 5.33.130.F, the Mayor's designee may award, execute, amend, and terminate Emergency Procurement Contracts for goods, services, construction services, and public improvements that do not exceed \$5,000,000 for the purpose of responding to this Emergency Declaration. Authorize the Mayor's designee under Portland City Code 5.33.060 to award grants not to exceed \$1,000,000 when the proposed grant is included within the current fiscal year budget, for the purpose of responding to this Emergency Declaration. Amendments to grants that increase the grant amount may occur only when the additional amount is included within the current fiscal year budget or as otherwise adopted by the City Council by ordinance.
- c. Hire other vendors and contractors to perform support work deemed warranted to respond to the impacts resulting from the reasons for the State of Emergency.
- d. Costs Associated with Response. All costs associated with supporting the City's efforts to respond to this emergency shall be tracked and borne by the respective bureaus. The Mayor's Designee is authorized to charge expenses to the City's emergency expense fund, as allowable. Bureaus will be provided further instructions.
- e. Financial Resources. The Mayor's Designee shall pursue any and all available financial resources from any lawful source whatsoever that may be used to protect and promote the public health, safety and welfare from the threats to the public health and environment, and otherwise respond to the threats giving rise to this Emergency Declaration.
- f. Coordinate with government and other partners as the Mayor's Designee deems appropriate to respond to the State of Emergency.

**3.Unified Command.** The City’s response to the emergency shall be managed under a Unified Command led by the Director of the Bureau of Emergency Management.

**4.Cooling Centers.** The Unified Command led by the Director of the Bureau of Emergency Management is hereby authorized to designate appropriate City-owned or operated indoor facilities to be open to the public, including without limitation appropriate community centers and other public buildings, but excluding public safety critical infrastructure, for the purpose of providing a safe indoor space for members of the public to avoid the extreme heat. Any costs associated with opening the City-owned or operated indoor facilities for purposes of responding to this emergency shall be tracked and borne by the respective bureau owning or operating the facility, and bureaus are authorized to request funding in the Budget Monitoring Process, if necessary, to offset any budget impacts resulting from the City’s response to the emergency.

**5.Additional Responses.** The Unified Command led by the Director of the Bureau of Emergency Management is authorized to provide additional services to the public and vulnerable communities in response to the threats caused by the excessive heat. These additional services may include but are not limited to cooling towels, outreach, and transportation to cooling centers.

**6. City Employees.** HR Administrative Rule 4.11, Inclement Weather, is in effect for the duration of this emergency, and the Director of the Bureau of Human Resources is authorized to provide additional guidance to City employees regarding the requirements of HRAR 4.11. City employees are encouraged to assist at an indoor facility to support the City’s effort to address this emergency. City employees who are exempt from the Fair Labor Standards Act, but who work extended hours to meet the needs of the City during this emergency are authorized to receive hour-for-hour (straight time) overtime if approved by their Bureau Director and the Director of Human Resources or designee. Hours by any City employees performing shelter work, as defined by the Mayor’s Designee, for purpose of addressing this State of Emergency shall be paid an additional twenty percent premium pay. Bureaus will be provided further instructions on how to track costs incurred for this response.

**7. Financial Resources.** The Director of the Bureau of Emergency Management, or their designee, is hereby directed to pursue any and all available financial resources from any lawful source whatsoever that may be used to protect and promote the public health, safety and welfare from the threats of inclement weather, and otherwise respond to the threats giving rise to this Emergency Declaration.

**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. For the duration of this emergency, unless otherwise specified by the Mayor and subject to the terms of this Emergency Declaration, the Unified Command, and any orders issued under the authority of this declaration, the current bureau assignments to the members of the City Council shall remain in effect as delegated authority under PCC 15.08.020.A.

c. This State of Emergency shall remain in effect through **11:59 p.m. on August 18, 2023**, unless otherwise extended, modified, or terminated.

d. If any provision of this 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 13th day of August, 2023  
City of Portland, Oregon**

By:   
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Ted Wheeler, Mayor

**APPROVED AS TO FORM:**  
Robert Taylor, City Attorney  
For Portland, Oregon