

Portland, Oregon

FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Roberta Jortner		2. Telephone No. 503-823-7855	3. Bureau/Office/Dept. BPS
4a. To be filed (date): November 28, 2012	4b. Calendar (Check One) Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> 4/5ths <input type="checkbox"/>		5. Date Submitted to Commissioner's office and FPD Budget Analyst: November 14, 2012
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

1) Legislation Title: *Direct the Bureau of Planning and Sustainability Director to submit Request for Metro Determination of Substantial Compliance with Title 13, Nature in Neighborhoods, and establish a voluntary Intergovernmental Agreement between the City and Metro as a statement of intent to continue watershed health related efforts and collaboration.

2) Purpose of the Proposed Legislation: The Planning and Sustainability Commission (PSC) is recommending that the City enter into a voluntary intergovernmental agreement (IGA) with Metro. The PSC recognized that Title 13 compliance is an important milestone but wants to be clear that meeting Portland's watershed health goals will require a long term commitment. The IGA would serve as a statement of intent to continue investing watershed health related projects and programs after the Metro finds the City in compliance with Title 13. The IGA also establishes the City and Metro's joint intent to continue collaborating on issues of regional concern, such as how the Comprehensive Plan Update will help the City address a projected shortfall in industrial land supply while also meeting watershed health goals. The IGA would go into effect after Metro finds the City in substantial compliance with Title 13, is a voluntary gesture and not required by Metro as a condition of the City's compliance with Title 13.

3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?

- | | | | |
|--|------------------------------------|------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast | <input type="checkbox"/> Southeast | <input type="checkbox"/> Southwest | <input type="checkbox"/> East |
| <input type="checkbox"/> Central City | | | |
| <input type="checkbox"/> Internal City Government Services | | | |

FINANCIAL IMPACT

4) Revenue: Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

No. The IGA does not directly affect revenue coming into the City, but could be used to support grant applications or other efforts to acquire funding from alternative sources.

5) Expense: What are the costs to the City related to this legislation? What is the source of funding for the expense?

The IGA does not generate any additional costs to the City. The IGA is a statement of intent to continue watershed-health related projects, programs and investments, but does not bind the City's future budget decisions. Periodic progress reporting required by the IGA will be done in conjunction with existing reporting activities and will not require additional staff resources.

6) Staffing Requirements:

- Will any positions be created, eliminated or re-classified in the current year as a result of this legislation? No
- Will positions be created or eliminated in *future years* as a result of this legislation? No

(Complete the following section only if an amendment to the budget is proposed.)

7) Change in Appropriations *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)*

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]

PUBLIC INVOLVEMENT

8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:

☒ **YES:** Please proceed to Question #9.

☐ **NO:** Please, explain why below; and proceed to Question #10.

9) If "YES," please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item? The community will continue to benefit from the existing City natural resource protection and restoration programs, completion of projects identified in the IGA, and from benefits associated with collaboration between the City and Metro.

b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?

Key stakeholders were invited to review the draft Title 13 compliance request and notified of the hearing before the Planning and Sustainability Commission and City Council. The Bureau of Planning and Sustainability (BPS) mailed notices to 490 people on the BPS Legislative Mailing List, letting them know that the Title 13 compliance request was available for review and that the Planning and Sustainability Commission (PSC) would hold a public hearing on July 24, 2012. BPS also emailed key stakeholders directly about the draft compliance request, draft IGA outline, and upcoming PSC hearing. Stakeholders included representatives from Metro, Multnomah County, the Port of Portland, Columbia Corridor Association, the Working Waterfront Coalition, Audubon Society of Portland, Citywide Land Use Group, Friends of Trees, the Johnson Creek, Tryon Creek, and Columbia Slough Watershed Councils, the East and West Multnomah County Soil and Water Conservation Districts. Information about the compliance request was posted on the Bureau of Planning and Sustainability website. A blog spot was posted and sent to representatives of the media and others on July 9, 2012. Key stakeholders were also notified of the City Council hearing on November 28, 2012 and the availability of the revised report for public review.

c) How did public involvement shape the outcome of this Council item?

Both the ordinance and the IGA were refined to address comments from the public and from the Planning and Sustainability Commission. Refinements included inclusion of additional detail and a number of process- and content-related clarifications.

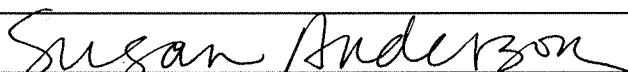
d) Who designed and implemented the public involvement related to this Council item? Bureau of Planning and Sustainability project staff (initiator shown above) in collaboration with the Bureau of Planning and Sustainability communications team.

e) **Primary contact for more information on this public involvement process (name, title, phone, email):** Roberta Jortner, Senior Environmental Planner, 503-823-7855, Roberta.Jortner@portlandoregon.gov

10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.

The Planning and Sustainability Commission and most of the key stakeholders strongly support the City/Metro IGA. As such, no additional public involvement is anticipated or needed to move forward with this Council item. Staff will continue to keep key stakeholders apprised prior to the submittal of the IGA to Metro.

Susan Anderson



BUREAU DIRECTOR (Typed name and signature)



Bureau of Planning and Sustainability
Innovation. Collaboration. Practical Solutions.

185758

Council Transmittal Memo

DATE: November 13, 2012
TO: Mayor Sam Adams and Members of City Council
FROM: Susan Anderson, Director

1. **Ordinance / Resolution Title:** *Direct the Bureau of Planning and Sustainability Director to submit Request for Metro Determination of Substantial Compliance with Title 13, Nature in Neighborhoods, and establish a voluntary Intergovernmental Agreement between the City and Metro as a statement of intent to continue watershed health related efforts and collaboration.

2. **Contact:** Roberta Jortner, Senior Environmental Planner, 503-823-7855

3. **Council Date:** November 28, 2012

4. ☐ Consent Agenda Item ☒ Regular Agenda Item Time Certain
☒ Emergency Item (explain below) ☐ Non-Emergency Item

This enables submission of the report to Metro and implementation of the IGA.

5. **Purpose of Agenda Item:** The Planning and Sustainability Commission is recommending that the City enter into a voluntary 10-year intergovernmental agreement (IGA) with Metro. The PSC recognized that Title 13 is an important milestone but wants to be clear that meeting Portland's watershed health goals will require a long term commitment. The IGA would serve as a statement of intent to continue investing watershed health related projects and programs after the Metro finds the City in compliance with Title 13. The IGA also establishes the City and Metro's joint intent to continue collaborating on issues of regional concern such as how the Comprehensive Plan Update will address competing goals for natural resource protection and providing industrial land to meet forecasted job demands and economic goals. The IGA would go into effect after Metro finds the City in substantial



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compliance with Title 13, is intended to be a voluntary gesture, and is not required by Metro as a condition of the City's compliance with Title 13.

6. History of Agenda Item/Background:

Title 13 of the Regional Urban Growth Management Functional Plan (titled "Nature in Neighborhoods") establishes minimum requirements to protect, conserve, and restore regionally significant riparian corridors and wildlife habitat. Title 13 was adopted by Metro in 2005. In 2007 the Oregon Land Conservation Development Commission acknowledged Title 13 as in compliance with specified portions of Statewide Land Use Planning Goal 5, Open Spaces, Scenic and Historic Resources and Natural Resources, and Goal 6, Air, Water and Land Resources.

Metro granted the City of Portland two extensions to the 2009 Title 13 compliance deadline. The extensions provided time for the City to progress on key projects that would update policies and protections for Title 13 Habitat Conservation Areas in Portland. The last extension ended on June 30, 2012. The City completed or made substantial progress on most tasks outlined in the extension requests, and is now prepared to submit a request for Metro determination of substantial compliance with Title 13 based on existing City regulatory and non-regulatory programs as described in the report entitled *Title 13, Nature in Neighborhoods - Request for Metro Determination of Substantial Compliance (November 2012)*. No new regulations are proposed as part of this request.

Initially, stakeholders were concerned that if Metro found Portland in compliance with Title 13, it could imply that the City had met its watershed health goals and no longer needed to continue efforts to improve watershed conditions. Specifically, stakeholders wanted confirmation of the City's intent to complete a number of multi-objective planning efforts underway or anticipated (e.g., Comprehensive River Plan, West Hayden Island annexation decision, Columbia Corridor Plan) and to implement existing or adopted City programs (e.g., watershed revegetation, invasive species management, new tree codes, etc.). City staff proposed the voluntary City/Metro IGA to address these concerns and confirm the City's intent to continue these efforts. City and Metro staff also suggested the IGA confirm their mutual intent to collaborate on issues of regional concern, including how to meet industrial land supply needs and meet goals for watershed health.

7. What individuals or groups are or would be supportive or opposed to this action?

Most of the stakeholders testifying before the Planning and Sustainability Commission supported or did not oppose the City's Title 13 compliance request.

Most felt strongly that the City/Metro IGA was important to pursue, particularly neighborhood representatives who support continued planning work in the Columbia Corridor.

The Columbia Corridor Association questioned the need for the IGA and cautioned the City not to make the IGA too specific about outcomes of future planning activities.



The Audubon Society of Portland expressed concern over the request for Metro approval of Title 13 compliance for Portland. Audubon noted that legal challenges and budget constraints could limit the City's ability to improve natural resource protections or carry out important watershed restoration programs. Audubon asked that the IGA include a strong commitment to protect currently unprotected streams. The document calls for continued exploration of approaches to improve riparian conditions stops short of specifically calling for additional stream-related regulation.

8. **How does this relate to current City policies?** The City's Title 13 compliance request is based on an array of existing programs that were established to meet the goals and policies of the Comprehensive Plan, Portland Watershed Management Plan and Urban Forestry Management Plan. These programs also help the City implement the Climate Action Plan and meet multiple regulatory requirements including Metro Titles 3 and 13, the Clean Water Act, and the Endangered Species Act.

The projects and programs outlined in the IGA obligations will also support these City plans and associated policies.

