

Portland, Oregon
FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT
For Council Action Items

(Deliver original to City Budget Office. Retain copy.)

1. Name of Initiator Amy Archer		2. Telephone No. 503-823-2294	3. Bureau/Office/Dept. Office of Neighborhood Involvement
4a. To be filed (hearing date): September 4, 2013	4b. Calendar (Check One) Regular Consent 4/5ths <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		5. Date Submitted to Commissioner's office and CBO Budget Analyst: 8/22/13
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:

* Provide confidentiality for complainant information submitted to the Office of Neighborhood Involvement, as allowed under Oregon law. (Ordinance.)

2) Purpose of the Proposed Legislation:

The Oregon Public Records Law allows information submitted to the City in confidence, and not otherwise required by law to be submitted, to be considered confidential. The Noise Control Program relies on confidentiality of complainant information currently at the Bureau of Development Services and the proposed policy would provide continuity of current treatment of this information.

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 | | | |

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.
None

5) Expense: What are the costs to the City as a result of this legislation? What is the source of funding for the expense? (Please include costs in the current fiscal year as well as costs in future year, including Operations & Maintenance (O&M) costs, if known, and estimates, if not known. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the **level of confidence**.)

None

6) Staffing Requirements:

- **Will any positions be created, eliminated or re-classified in the current year as a result of this legislation?** *(If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)*

None

- **Will positions be created or eliminated in future years as a result of this legislation?**

None

(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.)*

N/A

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.

The City's FY2013-14 Adopted Budget transferred the Noise Control Program from the Bureau of Development Services to the Office of Neighborhood Involvement. The City Code is being amended to transfer responsibility for administration and enforcement of Title 18, Noise Control, to ONI, and retaining the current program policies such as complainant confidentiality is critical to maintain continuity of services. Public involvement occurred during the budget adoption process.

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

a) What impacts are anticipated in the community from this proposed Council item?

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?

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

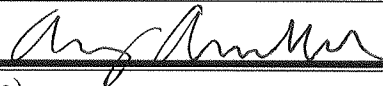
d) Who designed and implemented the public involvement related to this Council item?

e) Primary contact for more information on this public involvement process (name, title, phone, email):

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

No – see response above. However, ONI's Bureau Advisory Committee is engaged in program oversight and policy development when needed and may identify areas for review in the future.

Amy Archer, Acting Director (for Amalia Alarcon de Morris)



APPROPRIATION UNIT HEAD (Typed name and signature)



CITY OF

PORTLAND, OREGON

OFFICE OF NEIGHBORHOOD INVOLVEMENT

CHARLIE HALES, MAYOR

Amalia Alarcón de Morris, Bureau Director

1221 SW 4th Avenue, Room 110

Portland, Oregon 97204

Promoting a culture of civic engagement

DATE: August 22, 2013

186230

TO: Mayor Charlie Hales

FROM: Amy Archer, Business Operations Supervisor

RE: * Provide confidentiality for complainant information submitted to the Office of Neighborhood Involvement, as allowed under Oregon law. (Ordinance.)

1. Intended Thursday Filing Date: August 29, 2013

2. Requested Council Agenda Date: September 4, 2013

3. CONTACT NAME AND NUMBER: Amy Archer, x32294

4. PLACE ON ☒ CONSENT ☐ REGULAR

5. FINANCIAL IMPACT STATEMENT ATTACHED: ☒ Y ☐ N ☐ N/A

6. THREE (3) ORIGINAL COPIES OF CONTRACTS APPROVED AS TO FORM BY CITY ATTORNEY ATTACHED: ☐ Yes ☐ No ☒ N/A

7. BACKGROUND ANALYSIS

The FY 2013-14 Adopted Budget transferred the Noise Control Program from the Bureau of Development Services (BDS) to the Office of Neighborhood Involvement (ONI). The Noise Control Program relies upon complaints from the public that result in review and/or inspections by City staff to determine whether there are violations of Title 18, Noise Control. Revealing a complainants identity is not relevant for investigation or enforcement and would only serve to create or increase conflict between neighbors. The program has relied upon complainant confidentiality and this ordinance serves to maintain that treatment with the transfer to ONI. This ordinance is related to the ordinance from BDS with code amendments transferring the administrative and enforcement authority to ONI.

8. FINANCIAL IMPACT

There are no financial impacts from the proposed policy.

9. RECOMMENDATION/ACTION REQUESTED

Approve the ONI administrative rule to provide complainant confidentiality.



CITY OF

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CHARLIE HALES, MAYOR

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EXHIBIT A

CONFIDENTIALITY OF COMPLAINANTS, OFFICE OF NEIGHBORHOOD INVOLVEMENT**A. BACKGROUND**

The Office of Neighborhood Involvement's enforcement programs rely upon confidential complaints to initiate investigations into alleged violations of the City Code. There is no legal obligation for citizens to file complaints on Code violations. Whether or not a violation exists is independently determined by a bureau staff. After the staff determines that a violation exists, the staff is source of information for any enforcement action.

B. POLICY

The Bureau shall treat complainant information as confidential submissions under Oregon law.

C. PROCEDURE

The Oregon Public Records Law allows information submitted to the City in confidence, and not otherwise required by law to be submitted, to be considered confidential. The names of complainants and contact information about them, such as addresses, phone numbers or email, will be treated by ONI as confidential and not released to the public.

The Bureau shall undertake appropriate steps to inform complainants at the time of intake that the Bureau will take all reasonable precautions to treat their names and contact information as confidential.

Information and documents that have complainant information may be provided to the public; however, ONI will remove or otherwise render illegible the complainant's name and contact information before releasing the information to the public. Complainant information within the complaint database will be encrypted for privacy.

Complainant information will be disclosed if ordered by a court.

This constitutes the Office of Neighborhood Involvement's policy regarding the confidentiality of complainants.

Amalia Alarcon de Morris
Director, Office of Neighborhood Involvement

Date