

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

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

1. Name of Initiator Anne Holm		2. Telephone No. 52488	3. Bureau/Office/Dept. Revenue/Regulatory
4a. To be filed (hearing date): September 18, 2013	4b. Calendar (Check One) Regular Consent 4/5ths X <input type="checkbox"/> <input type="checkbox"/>		5. Date Submitted to Commissioner's office and CBO Budget Analyst: August 22, 2013
6a. Financial Impact Section: X Financial impact section completed		6b. Public Involvement Section: X Public involvement section completed	

1) Legislation Title: Revise Pay and Park and Non-Pay Private Parking Facilities regulations (Ordinance; amend Code Chapter 7.25)

2) Purpose of the Proposed Legislation: To formalize procedures that have been in place on an informal basis, to authorize the Director to require monthly reports as established by a future Administrative Rule, to make other housekeeping corrections.

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.

Revenue to the City will be neither generated nor reduced by the adoption of the amended chapter of City Code. Registered operators pay an annual registration fee of \$200 per facility. None of the amendments will affect the number of registered facilities.

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.)*

There are no costs to the City as a result of this legislation.

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.)* No positions will be created, eliminated or reclassified as a result of this legislation, either in the current year or future years.
- Will positions be created or eliminated in *future years* as a result of this legislation?

(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? This legislation clarifies and makes explicit current Revenue Bureau procedures for promoting consumer protection. Changes to current practices are not anticipated. For a very small number of permit holders, there may be some additional restriction of the hours during which operators may issue parking penalties.

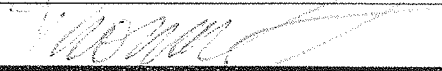
b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved? Regulatory Division Manager Kathleen Butler and Program Administrator Anne Holm met with each of the four registered operators to discuss the proposed changes on June 11 and 12, 2013. At the end of each meeting the operators were encouraged to review the draft and respond with any questions or suggestions by June 21. Several changes were proposed by operators and some of these changes were incorporated into the proposed Code language.

c) How did public involvement shape the outcome of this Council item? Some changes were incorporated into the proposal that reflected the operating and business needs of the permittees.

d) Who designed and implemented the public involvement related to this Council item? Program Administrator Anne Holm and Regulatory Division Manager Kathleen Butler.

e) Primary contact for more information on this public involvement process (name, title, phone, email): Kathleen Butler, Regulatory Division Manager, (503) 865-2486, Kathleen.Butler@portlandoregon.gov

10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not. The proposed changes will not affect the appearance or function of the registered facilities or the complaint review process. No additional public involvement is anticipated.

 9 Sept 2013

APPROPRIATION UNIT HEAD (Typed name and signature)

Thomas W. Lannom

Revenue Bureau Director



CITY OF PORTLAND
OFFICE OF MANAGEMENT AND FINANCE
Charlie Hales, Mayor
Jack D. Graham, Chief Administrative Officer
Thomas W. Lannom, Revenue Bureau Director

Kathleen Butler, Manger
Regulatory Division
Revenue Bureau
111 SW Columbia St., Room 600
Portland, Oregon 97201
(503) 823-5157
FAX (503) 823-5192
TTY (503) 823-6868

DATE: August 19, 2013

TO: Commissioner Nick Fish

FROM: Thomas W. Lannom, Revenue Bureau Director

186267

RE: ORDINANCE TITLE Revise Pay and Park and Non-Pay Private Parking Facilities regulations (Ordinance; Amend Code Chapter 7.25)

1. **INTENDED WEDNESDAY FILING DATE:** August 28, 2013
2. **REQUESTED COUNCIL AGENDA DATE:** September 18, 2013
3. **CONTACT NAME & NUMBER:** Anne Holm 52488
4. **PLACE ON:** ☐ CONSENT ☒ REGULAR
5. **BUDGET IMPACT STATEMENT ATTACHED:** ☒ Y ☐ N ☐ N/A
6. **(3) ORIGINAL COPIES OF CONTRACTS APPROVED AS TO FORM BY CITY ATTORNEY ATTACHED:** ☐ Yes ☐ No ☒ N/A

7. BACKGROUND/ANALYSIS

Pay and Park and non-pay to park facilities are private businesses, but if the operator plans to monitor the facilities and issue penalty notices to vehicles that are parked without proof of valid payment or without authorization, then the facility must be registered with the City, and the facility and the operator must comply with the requirements of PCC 7.25. City Code sets the maximum amount that a vehicle owner can be penalized, through an Administrative Rule that indexes the penalty to the amount assessed by parking enforcement officers on the street for overtime parking, currently \$39. The idea of penalty notices was developed as an alternative to the practice of towing unauthorized vehicles that would be less costly to the citizen and would not remove the vehicle from the parking place. The program has been in place and administered by the Revenue Bureau since the early 1980s. The Bureau inspects new facilities and issues the annual registrations and receives complaints from citizens about penalty notices or letters of demand for payment. The penalty notices left on vehicles and the letters of demand for payment include a referral to the Revenue Bureau for assistance with a complaint.

There are currently 170 registered facilities, and the majority of the lots are monitored (and penalty notices issued) by two companies. Citizens may send their complaints concerning a penalty notice to the Revenue Bureau. In 2012 the Bureau received 364 complaints. 42% of them (154) were resolved by a dismissal of the penalty, sometimes by the operator independently of a request by the Bureau and sometimes at the request of the Bureau. Between January 1, 2013 and June 30, 2013, 203 complaints have been submitted to the Bureau. Some are still under review, but 92 of them have been dismissed so far.

A draft of the proposed amended Chapter was posted on the Bureau's website and emailed to the registered operators and contractors that currently monitor the lots and issue the penalty notices. Regulatory Division manager Kathleen Butler and Anne Holm met with representatives from each of the registered operators to discuss the proposed changes and solicit feedback. The operators approved of the proposed changes; some changes were made as a result of their

An Equal Opportunity Employer

To help ensure equal access to programs, services and activities, the Office of Management & Finance will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities upon request.

www.portlandonline.com/omf/revenue

suggestions.

186267

In addition to some housekeeping corrections, the purpose of the proposed changes is to clarify the Director's authority to impose additional requirements at a facility and to create requirements for regular reports from the operators.

7. FINANCIAL IMPACT

The City collects an annual lot registration fee from the operators for each registered facility. None of the proposed changes will affect the number of registered facilities, so it is anticipated that there will not be a financial impact.

8. RECOMMENDATION/ACTION REQUESTED

Approve the revised Chapter 7.25.