

# ORDINANCE No. 188477

Amend Code to allow Green Street Stewards to remove sediment from and plant vegetation in public green street facilities, and to discourage removal of dead plantings (Ordinance; amend Code Section 17.32.070)

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Environmental Services (BES) protects public health, water quality and the environment. BES provides sewage and stormwater collection and treatment services to accommodate Portland's current and future needs. BES protects the quality of surface and ground waters and conducts activities that plan and promote healthy ecosystems in the City's watersheds.
2. Green street facilities are landscape spaces (or street rain gardens) that use soil and plants to slow and reduce the flow of stormwater, filter out pollutants, and recharge groundwater. BES constructs City-owned green streets in the right-of-way to protect Portland's rivers from pollution, help retain capacity within the combined sewer system and the separated stormwater system, and avoid the need to construct more expensive piped infrastructure that would otherwise be necessary.
3. Portland's inventory of public green streets increased from three facilities in 1999 to approximately 1,800 currently, and the City has an anticipated inventory of 2,300 by 2020.
4. BES initiated the Green Street Stewards (GSS) program in 2010 as a way to engage the Portland community in learning about public green street facilities and helping BES maintain them. Currently, 145 Stewards help maintain 350 public green streets.
5. City Code does not allow Green Street Stewards to add vegetation to public green street facilities or to remove accumulated sediment that decreases facility performance; however, Green Street Stewards have expressed interest in performing these tasks.
6. Allowing Green Street Stewards to plant vegetation in public green street facilities (with written BES approval) and to remove sediment from facilities will likely benefit the City in several ways. Allowing volunteers to plant vegetation and thereby affect how a green street looks will make participation in the GSS program even more attractive to residents. Further, allowing volunteers to remove accumulated sediment from green street facilities will improve their function by maintaining facility capacity and reducing the number of maintenance hours required during City contractor visits.
7. PCC Section 17.32.070 B.8 should be amended to allow BES-approved volunteers to plant vegetation in green street facilities after obtaining written permission from BES staff and to remove sediment from green street facilities. The GSS Coordinator will train Stewards on adding appropriate vegetation to green street facilities and the safe collection and disposal of sediment.
8. City Code allows Green Street Stewards to remove dead plantings with BES approval, but City Code does not authorize Stewards to remove dormant plantings, which can sometimes appear dead to the untrained eye.

8. City Code allows Green Street Stewards to remove dead plantings with BES approval, but City Code does not authorize Stewards to remove dormant plantings, which can sometimes appear dead to the untrained eye.
9. BES has a strong interest in ensuring that Green Street Stewards do not remove dormant vegetation from green street facilities. Dormant vegetation is still alive, and it can take up to several years for a plant to become established after it has been planted, and established vegetation provides greater stormwater management benefits to green street facilities than does newly planted vegetation.
10. Given BES's interest in protecting dormant plants in green street facilities, in recent years BES has advised and trained Green Street Stewards to not remove plants or trees in green street facilities and to notify BES if plants or trees are damaged or appear to be dead.
11. If Green Street Stewards are authorized to plant new vegetation in their adopted green streets, Stewards may become more interested in the removal of plants that they believe are dead.
12. To avoid instances where Green Streets Stewards remove dormant plants that appear to be dead from green street facilities, the provisions of City Code that authorize PCC Section 17.32.070 B.8.d should be deleted, and BES will train Green Street Stewards to report unhealthy or dead vegetation to BES. BES will use its professional judgment to evaluate the reported plants and take appropriate action depending on the condition of the plants.
13. This Ordinance will not require additional funds for implementation.

NOW, THEREFORE, the Council directs:

- a. That PCC Chapter 17. 32.070 B.8 be amended as shown in the attached Exhibit A.

Passed by the Council,  
Commissioner Nick Fish

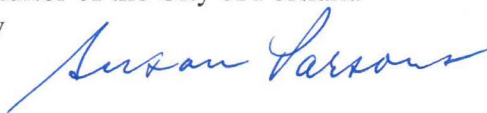
JUN 21 2017

Prepared by: Amy Chomowicz  
Date Prepared: 4/24/17

Cost object – ESWS000015

**Mary Hull Caballero**  
Auditor of the City of Portland

By



Deputy

Agenda No.  
**ORDINANCE NO. 188477**  
 Title

Amend City Code to allow Green Street Stewards to remove sediment from and plant vegetation in public green street facilities, and to discourage removal of dead plantings (Ordinance; amend Code Chapter 17.32, Section 070)

INTRODUCED BY Mayor <u>Wheeler</u> and Commissioner/Auditor: <u>Commissioner Fish</u>	CLERK USE: DATE FILED <u>JUN 06 2017</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Wheeler <u>kc</u> Position 1/Utilities - Fritz Position 2/Works - <u>Fritz</u> Position 3/Affairs - Saltzman Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland  By: <u>[Signature]</u> Deputy
BUREAU APPROVAL Bureau: Environmental Services Bureau Head: <u>Michael Jordan</u>	ACTION TAKEN: JUN 14 2017 PASSED TO SECOND READING JUN 21 2017 9:30 A.M.
Prepared by: Amy Chomowicz Date Prepared: 4/24/17	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: <u>Diane</u> required for Code Ordinances	
City Attorney Approval: <u>[Signature]</u> required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date <u>6/14/17</u>	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input checked="" type="checkbox"/> Start time: <u>9:45 a.m.</u>  Total amount of time needed: <u>30 minutes</u> (for presentation, testimony and discussion)
<b>CONSENT</b> <input type="checkbox"/>
<b>REGULAR</b> <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Eudaly	✓	
Wheeler	✓	