

Portland, Oregon

FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

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

Name of Initiator Denise Kleim		1. Telephone No. 503-823-7338	2. Bureau/Office/Dept. Development Services
4a. To be filed (hearing date): 5/26/11, Consent Agenda 6/8/2011	4b. Calendar (Check One) <div style="display: flex; justify-content: space-around;"> Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/> </div>		5. Date Submitted to Commissioner's office and FPD Budget Analyst: 5/26/11
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: *Amend contract with Bryan Higgins to extend through June 30, 2011 and add additional funds in the amount of \$641.90 to provide additional payment for the costs of fees due each time the City issues a permit which uses his permit-ready design services (Ordinance; amend Contract No. 36013)

2) Purpose of the Proposed Legislation: This ordinance increases and extends the current contract by which the Bureau of Development Services has purchased permit ready house designs for the Living Smart Program. The contract adjustment and extension is necessary in order to make the final payment to the designer as it issued a permit which used Bryan Higgins' permit-ready design.

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.

This will have no effect on revenues.

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 years. 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.)*

The contract amount is increased by \$641.90 which will be a one-time FY2010-11 expense. The current budget is sufficient to cover this cost.

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.
- **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]



City of Portland, Oregon
Bureau of Development Services
Office of the Director

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
 Paul L. Scarlett, Director
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Memorandum

Date: May 19, 2011

To: Mayor Sam Adams
 Commissioner Nick Fish
 Commissioner Amanda Fritz
 Commissioner Randy Leonard
 Commissioner Dan Saltzman

From: Paul L. Scarlett, Director *PLS*
 Bureau of Development Services

RE: Bureau of Development Services Ordinance Amending Contract 36013

The Bureau of Development Services (BDS) is proposing to amend License Agreement and Service Agreement between BDS and designer Bryan Higgins (Contract No. 36013) to provide for final payment for the permits that were issued using his Permit Ready design.

Background

In 2004, the Bureau of Development Services created the Living Smart project and hosted a competition for the design of innovative house designs for narrow lots. Upon completion of the competition, the Bureau of Development Services contracted with three of the winning designers to develop their designs into complete plan sets that would be available to the public through the City.

Through a related ordinance, Title 33 (Planning and Zoning), was amended to encourage the development of well-designed permit-ready houses on narrow lots. Those amendments defined "permit ready" houses as those whose design had been approved by City Council.

On March 15, 2006, City Council passed Resolution 36391 accepting the two designs as permit-ready house plans.

The Bureau of Development Services is proposing that the Living Smart Program be discontinued beginning July 1, 2011 due to the financial constraints the bureau has been experiencing.

Through this ordinance, City Council votes to amend the existing license and services agreement with designer Bryan Higgins in order to provide sufficient funds to pay the designer their final fee for the two permits issued using Bryan Higgins plan set as required by the agreements.



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City Council
 Agenda Item
 Staff Supplemental Report

TO: Commissioner Dan Saltzman
 THROUGH:

FROM: Paul L. Scarlett, Director *PLS*
 Bureau of Development Services

DATE: May 26, 2011

RE: Bureau of Development Services Ordinance Amending Contract 36013, Bryan Higgins

Requested Council Hearing Date: Wednesday, June 8, 2011

I. RECOMMENDATION

*Amend contract with Bryan Higgins to extend through June 30, 2011 and add additional funds in the amount of \$641.90 to provide additional payment for the cost of fees due each time the City issues a permit which uses his permit-ready design services(Ordinance; amend Contract No. 36013)

II. BACKGROUND

The Living Smart Program arose from growing neighborhood concerns about single-dwelling infill development on 25-foot wide lots. In 2003, after careful consideration, City Council voted to maintain the narrow lot housing option in the single-dwelling zones, but restricted construction to currently vacant lots and added design requirements. To help address concerns about the design of these houses, Commissioner Randy Leonard and the Bureau of Development Services (BDS) initiated a design competition. One of the goals of the competition was to create the *Portland Catalogue for Narrow House Designs*, a catalogue of plans for Portland neighborhoods. The Portland Catalogue was published in November 2004 containing the winning house designs.

After the competition was finished, the City wanted to take Living Smart one step further by providing the public with affordable plan sets of well designed narrow lot houses. BDS contracted with two designers, who were both Jury and People's Choice award winners, to prepare a set of house plans that would be available to the public.

To effect these changes, the City Council voted to support Zoning Code amendments exempting the two house designs from some development standards and approving the two house designs as "Permit Ready" houses. By providing exemptions, adjustments

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would be automatically granted for these two houses. The Zoning Code defines "permit ready" houses as those whose designs have been approved by City Council.

These house plans are well designed, meet the purpose of the zoning regulations, and are appropriate for narrow lot development.

However, the Bureau of Development Services is proposing that the Living Smart Program be discontinued beginning July 1, 2011 due to the financial constraints the bureau has been experiencing.

III. FINANCIAL IMPACT

BDS requires an additional \$641.90 be added to the contract in order to process a payment to Bryan Higgins for the two building permits recently issued using his permit ready designs.

IV. LEGAL ISSUES

In accordance with Exhibit A of the License Agreement and Services Agreement for Use of Permit Ready Designs, a fee of \$600 (which will be increased by 2% each subsequent year beginning January 2007) will be paid to the Designer, once the City issues a permit for construction of the narrow lot house design to the Buyer, provided that all City requirements have been met.

V. CONTROVERSIAL ISSUES

None.

VI. LINK TO CURRENT CITY POLICIES

None.

VII. CITIZEN PARTICIPATION

None.

VIII. OTHER GOVERNMENT PARTICIPATION

None.

IX. FINANCIAL IMPACT ON LOCAL ECONOMY

None.

IF APPLICABLE, PROVIDE INFORMATION ON ESTIMATED NUMBER OF JOBS CREATED BY THIS ACTION

M/W/ESB participation on this contract is N/A

X. IF THIS IS A CONTRACT, DOES CONTRACTOR HAVE A CURRENT BUSINESS LICENSE? Yes

WHAT IS THEIR BUSINESS LICENSE NUMBER? 679476

IS THEIR ACCOUNT WITH THE CITY CURRENT? Yes

IF NOT, HOW MUCH IS OWING? _____

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.

This Council item is to extend a contract through June 30, 2011 and to provide an additional \$641.90 to provide a payment due to the contractor.

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?

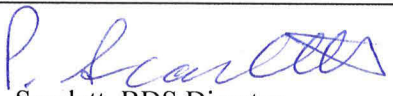
c) How did public involvement shape the outcome of this Council item?

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.

The Bureau of Development Services does not foresee any future public involvement. According to City Charter Section 2-105, the City will have entered into Contract No. 36013 for the maximum period allowed with a termination date of June 30, 2011.


Paul L. Scarlett, BDS Director

APPROPRIATION UNIT HEAD (Typed name and signature)