184807

Portland, Oregon

FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT
For Council Action Items

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

1. Name of Initiator	2. Telephone No.	3. Bureau/Office/Dept.
Al Burns, AICP Senior City Planner	(503) 823-7832	Bureau of Planning and Sustainability

4a. To be filed (date):	4b. Calendar (Check One)	5. Date Submitted to Commissioner's office and FPD Budget Analyst:
August 17, 2011	Regular ☐ Consent ☒ 4/5ths ☐	August 5, 2011

6a. Financial Impact Section:	6b. Public Involvement Section:
☒ Financial impact section completed	☒ Public involvement section completed

1) Legislation Title:

*Authorize application to the Oregon Department of Land Conservation and Development for a Periodic Review Grant in the amount of $173,000 for the State Fiscal Biennium of July 1, 2011 to June 30, 2013 (Ordinance).

2) Purpose of the Proposed Legislation:

The Ordinance would authorize the Mayor to apply for a grant to support state-mandated planning work assigned to the Bureau of Planning and Sustainability. The following are links to the grant announcement and the application packet:
http://www.lcd.state.or.us/LCD/docs/grants/2011-2013_GrantPacketMemo_7-22-2011.pdf
http://www.lcd.state.or.us/LCD/docs/grants/2011-2013_GrantPacket_7-22-2011.pdf

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)?

☐ City-wide/Regional ☐ Northeast ☐ Northwest ☐ North
☐ Central Northeast ☐ Southeast ☐ Southwest ☐ East
☐ Central City
☒ Internal City Government Services

This is an ordinance to apply for a grant, so it would not affect particular neighborhoods or affect parts of the City differentially. If the grant were awarded, a second ordinance would be required to accept the grant. Acceptance of any awarded periodic review planning grant would probably be of general benefit to the entire 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 is an ordinance to apply for a grant, so it does not generate or reduce City revenue. If a Periodic Review grant were awarded, and accepted by a future ordinance, the grant would generate revenue for state-mandated planning work. If the grant were not awarded, the work would need to be performed anyway.

The mandate that city comprehensive plans be reviewed periodically, and updated as needed, was established by a 1981 Act of the Oregon Legislature. This act amended *Oregon Revised Statutes*, Chapter 197 [1981 *Oregon Laws*, Chapter 748, Section 5]. Subsequent amendments limited the application of Periodic Review to larger cities and narrowed the scope of review to just certain elements of the comprehensive plan.

Because the Periodic Review program was established in 1981, it is unaffected by the provisions of Article XI, Section 15 of the *Oregon Constitution*. This section excuses cities from carrying out unfunded or underfunded, state mandates, but does not apply to, "An existing program as enacted by legislation prior to January 1, 1997."

Periodic Review grants do not require a City match, are non-competitive, and are awarded on a first-ask, first-receive basis.

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

The costs of applying for the grant are negligible.

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.

7) Change in Appropriations

There are no changes in appropriations. If awarded the ordinance to accept would describe the changes.

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 is a "permission to apply" ordinance, strictly ministerial in nature. Extensive public involvement preceded the request by informing which work was included, and not included, on the Periodic Review work program. If awarded, grant supported work would be subject to the involvement described in the answer to question 10 below.

The development and implementation of the City's Periodic Review work program was authorized by a resolution and prior ordinance of Council. Periodic Review is supported by extensive public involvement, including an 18 member Community Involvement Committee, appointed by the Mayor and confirmed by the Council. This committee is charged with ensuring that all planning work meets rigorous public involvement standards, and no work is submitted to Planning and Sustainability Commission for a recommendation, or to the City Council for adoption, without an endorsement from the Community Involvement Committee.

Only planning work on the City's state-approved Periodic Review work program is eligible for grant funding. All of the work must be performed, whether or not a grant is awarded, so the application does not affect the content of timing of planning work. Furthermore, the grant program was announced on July 25, 2011 with an application deadline of September 1, 2011. The short timeline provides no meaningful opportunities for public involvement.

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.

Yes, future public involvement is both anticipated and required.

If awarded, eligible grant expenditures would be limited to work tasks on the City's state-approved periodic review work program. Since this is mandated work, it must be completed whether or not a grant is awarded.

All periodic review work, grant funded or not, benefits from the oversight of a dedicated Community Involvement Committee, composed of 15 members of diverse backgrounds and interests, supplemented by up to three members of the Planning and Sustainability Commission. This committee works under the terms of an involvement program and bylaws adopted by Council ordinance and approved by an order of the Oregon Department of Land Conservation and Development.

If a grant were awarded, all funded work would meet high standards for public involvement as provided in the Community Involvement component of Periodic Review.

Susan Anderson / Michael Armstrong

BUREAU DIRECTOR (Typed name and signature)