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Portland, Oregon

FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

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

1. Name of Initiator Don Gardner		2. Telephone No. 503-823-7557	3. Bureau/Office/Dept. PBOT/Dev. & Capital
4a. To be filed (date): OCTOBER 19, 2011	4b. Calendar (Check One) Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> 4/5ths <input type="checkbox"/>		5. Date Submitted to Commissioner's office and FPD Budget Analyst: October 7, 2011
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 Public Improvement Code to reflect accurate Bureau Director and City Engineer responsibilities; update, clarify and reorganize sections; delete outdated sections; add new regulations for preservation of the 5th and 6th Avenue Transit Mall; and codify existing policies regarding hazardous materials in the public right-of-way (Ordinance; amend Title 17)

2) Purpose of the Proposed Legislation:

This is an update to Title 17, Public Improvements, of the City Code.

The proposed amendments make Title 17 consistent with Council's intent when it created the position of Director of Transportation by making the Director responsible for administrative and policy decisions which were previously assigned to the City Engineer. The City Engineer remains responsible for engineering decisions as mandated by Oregon Revised Statute and City Charter.

Outdated and no longer relevant Code sections are deleted.

Language regarding permits has been updated to reflect current language used in utility franchise agreements and new language has been added to address excavation and restoration of the reconstructed Transit Mall.

Existing policy language regarding hazardous materials in the right-of-way has been updated and codified per the City Attorney's recommendation.

The amendments also reorganize some chapters of Title 17 by moving related regulations into related chapters to make it easier for the public, permittees and staff to find 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)?

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

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 legislation will have no impact on existing or future revenues

5) **Expense:** What are the costs to the City related to 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*.)

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.)
- There will be no changes in positions as a result of this legislation.
- Will positions be created or eliminated in future years as a result of this legislation? There will be no changes in positions in future years as a result of this legislation.

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(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? None
- 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?

This is primarily an administrative clean up of existing code. There are limited changes to existing regulations in concurrence with existing policies and practices. The changes primarily affect utility providers.

The proposed amendments were sent to all Neighborhood Coalitions, all Neighborhood Association Chairs, the Development Review Advisory Committee and all franchised and City owned utilities requesting review and comment. All parties were given at least sixty days for review and comment.

Public meetings

January, 13, 2011 all utility providers were invited to a public meeting. No utility provider attended.

July 27, 2011 a meeting was held with the Neighborhood Coalition Land Use Committee Chairs. The Portland Homebuilders representative also attended. At the request of the Neighborhood Coalition Land Use Chairs the time for allowed for public comment was extended 23 days.

August 16, 2011 briefed Development Review Advisory Committee at their regular meeting.

PBOT received four written comments, two from utility providers and two from neighborhood association representatives.

The utility comments were regarding restrictions on excavations of the Transit Mall and the boundaries of the underground wiring district below the Portland Aerial Tram. These two concerns have been addressed in manner satisfactory to the Portland Bureau of Transportation and the utility providers.

Two neighborhoods provided comments. Both asked that the City consider undertaking a broader policy review of the Local Improvement District regulations and the Sidewalk regulations. The two neighborhood associations responding recognized that those requests were outside the scope of this project but wished to be on record that they believed a comprehensive review of these two areas was needed.

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

There was limited public influence as this is primarily a technical clean up of existing code with no proposed policy changes.

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

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

(503)823-7557

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

There are no future public outreach efforts planned. These amendments are technical corrections and the minimal number of comments received indicated no further public outreach is needed.

These amendments will be heard on regular Council calendar and public testimony will be heard. The East Portland Neighborhood Organization has indicated that they will address Council about their concern with the Local Improvement District process. The West Portland Park Neighborhood Association may address Council about the Sidewalk chapter of Title 17.

KK 10-13-11

BUREAU DIRECTOR


TOM MILLER, Bureau of Transportation