

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

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

1. Name of Initiator Kevin Veaudry Casaus		2. Telephone No. 503-823-5545	3. Bureau/Office/Dept. Planning and Sustainability
4a. To be filed (date): June 6, 2012	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: May 30, 2012
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:

Adopt process for limited, short term exemptions from storing containers in the right-of-way for extreme economic hardships (Ordinance)

2) Purpose of the Proposed Legislation:

Authorizes the Bureau of Planning and Sustainability to provide limited term exemptions to the prohibition for property or business owners for whom immediate compliance constitutes an extreme economic hardship.

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 | | | |
| <input type="checkbox"/> 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.

Administrative Rule – No revenue

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**.)*

Administrative Rule – No Expense

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.)*

None.

- **Will positions be created or eliminated in future years as a result of this legislation?**

None.

(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.)*

Not applicable

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.

This is an administrative rule amendment.

9) If "YES," please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item?

Establishing a process for economic hardship waivers will eventually lead to more violators complying with the restriction.

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?

Notification of the proposed rule changes have been posted on the BPS internet site since April 26, 2012. All City recognized neighborhood associations and business associations, as well as self-identified interested parties, were notified of this and provided with a link to the web site and invited to submit their comments to BPS for consideration.

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

The City convened a Containers in the Right of Way Working Group in 2005, whose report was accepted by Council. This established the framework for enforcement, including the provision of an economic hardship exemption, that this Ordinance addresses.

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

Kevin Veaudry Casaus, Solid Waste & Recycling Sr. Coordinator at the Bureau of Planning and Sustainability, designed the public comment process for the proposed rules in accordance with Bureau policy for all administrative rules changes.

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

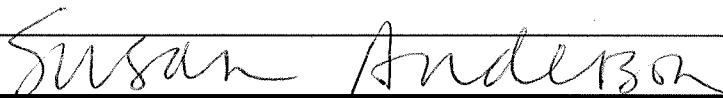
Kevin Veaudry Casaus, Solid Waste & Recycling Sr. Coordinator, 503-823-5545,
kevin.veaudrycasaus@portlandoregon.gov

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

None. This Ordinance will establish the process for economic hardship waivers; the Bureau will implement these changes in the administrative rules.

Council proceedings on the Regular Agenda provide for public input opportunities.

Susan Anderson



BUREAU DIRECTOR (Typed name and signature)



Bureau of Planning and Sustainability
Innovation. Collaboration. Practical Solutions.

MEMO

DATE: May 30, 2012
TO: Mayor Sam Adams
FROM: Susan Anderson, Director

1. **Ordinance Title:** Adopt process for limited, short term exemptions from storing containers in the right-of-way for extreme economic hardships (Ordinance)
2. **Contact:** Kevin Veaudry Casaus, Solid Waste & Recycling Sr. Coordinator, 823-5545
3. **Council Date:** June 6, 2012
4. ☐ Consent Agenda Item ☐ Regular Agenda Item ☒ Time Certain
☐ Emergency Item (explain below) ☒ Non-Emergency Item
5. **Purpose of Agenda Item:**
Authorizes the Bureau of Planning and Sustainability to provide limited term exemptions to the prohibition for property or business owners for whom immediate compliance constitutes an extreme economic hardship.
6. **History of Agenda Item/Background:** In 2005 the Portland City Council established a public / private work group to solve the problem of waste and recyclable containers that were stored in the public right of way. This work group had representatives from multiple City bureaus as well as from various business associations, the solid waste hauling industry and citizen representatives. The report created by this work group served as the basis for the City's passage of a prohibition against storing containers in the right of way.
7. **Legal Issues:** None
8. **What individuals or groups are or would be supportive or opposed to this action?**
Supportive: Residents and neighborhood associations who live, work or travel near violators of the prohibition.



Opposed: Business and property owners and associations, specifically those who are in violation of the prohibition. Some residents are opposed to any waivers, especially for long-standing violators, and will feel that this proposal does not resolve cases quickly enough.

9. How does this relate to current City policies?

PCC 17.102.290 provides rules of enforcement for violations related to the prohibition of storing solid waste, recycling or compostable containers in the public right-of-way.

