

Portland, Oregon

FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

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

1. Name of Initiator Ronda Fast	2. Telephone No. 503-823-4921	3. Bureau/Office/Dept. Environmental Services
4a. To be filed (hearing date): 5/15/13	4b. Calendar (Check One) Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/>	5. Date Submitted to Commissioner's office and FPD Budget Analyst: 5/11/13
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:

*Authorize a no-cost Permit and Right of Entry agreement with the Port of Portland to grant city staff access to three Port sites.

2) Purpose of the Proposed Legislation:

The Portland Area Watershed Monitoring and Assessment Program (PAWMAP) quantitatively assesses watershed health and directly implements the Portland Watershed Management Plan and supports the City's compliance with state and federal regulations. BES samples 32 sites each year on a four-year rotation (128 sites total). BES staff randomly selects sites using a statistical sample survey. At these sites, the following measurements are taken using federally approved standardized methods:

- Water temperature, dissolved oxygen, nutrients, metals, and pathogens
- Vegetation, stream bed composition, and bank condition
- Native and non-native fish, amphibian, insects, and bird surveys

Three randomly selected sites fall on Port of Portland property and require a no cost permit and right entry from the Port. This agreement is subject to a requirement that the City provides indemnification.

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 type="checkbox"/> City-wide/Regional | <input checked="" type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input checked="" 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.

No impact on revenue is expected

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 Port is issuing the Right of Entry at no charge. There is no expense as a result of this legislation.

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.)*

None.

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

186019

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.

No public involvement was necessary for this legislation, it allows the city to enter into an agreement for access to sites.

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.

This council item is to allow the City to enter into an agreement with the Port of Portland for BES staff to access Port property to collect data and conduct an array of habitat assessments as part of the PAWMAP (Portland Area Watershed Monitoring and Assessment Program).

Results are published on the Science, Fish and Wildlife website www.portlandonline.com/bes/fish.

 _____

APPROPRIATION UNIT HEAD (Typed name and signature)



CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 ■ Charlie Hales, Mayor ■ Dean Marriott, Director

186019

City Council
Agenda Item
Staff Supplemental Report

TO: Mayor Charlie Hales
THROUGH: Chad Stover

FROM: Ronda Fast

DATE: April 29, 2013

RE: *Authorize a no-cost Permit and Right of Entry agreement with the Port of Portland to grant city staff access to three Port sites.

Requested Council Hearing Date:

I. RECOMMENDATION

*Authorize a no-cost Permit and Right of Entry agreement with the Port of Portland to grant city staff access to three Port sites..

II. BACKGROUND

The Bureau of Environmental Services (BES) is working to improve watershed conditions and is conducting standardized assessments of streams and rivers across Portland through an effort called the Portland Area Watershed Monitoring and Assessment Program. The program assesses and track watershed conditions over time to implement the Portland Watershed Management Plan, adaptively manage capital projects and comply with state and federal regulations.

BES samples 32 sites each year on a four-year rotation (128 sites total). BES staff randomly selects sites using a statistical sample survey. At these sites, the following measurements are taken using standardized methods along an approximately 500-foot stream section:

- Water temperature, dissolved oxygen, nutrients, metals, and pathogens
- Vegetation, stream bed composition, and bank condition
- Native and non-native fish, amphibian, insects, and bird surveys

Three of the sites are on Port of Portland property and we have been working for years to secure a formal Right of Entry from them. For all other private property owners, we secure a simple permission to enter letter that only the landowner signs. The Port requires a formal *Permit and Right of Entry* agreement which includes indemnification.

III. FINANCIAL IMPACT

None.

IV. LEGAL ISSUES

The City Attorney advises that the indemnification requirement in the Port's Permit and Right of Entry requires authorization from City Council before the Director of BES can execute the permit.

V. CONTROVERSIAL ISSUES

None. This is a neutral monitoring project.

VI. LINK TO CURRENT CITY POLICIES

This monitoring work directly supports the Portland Watershed Management Plan and state and federal regulations under the Clean Water Act and Endangered Species Act.

VII. CITIZEN PARTICIPATION

Not required.

VIII. OTHER GOVERNMENT PARTICIPATION

None.

IX. FINANCIAL IMPACT ON LOCAL ECONOMY

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

Not applicable.

IF THIS ACTION IS CONTRACT-RELATED, PROVIDE INFORMATION ON M/W/ESB PARTICIPATION (NUMBER AND PERCENTAGE)

Not applicable.

- X. IF THIS IS A CONTRACT, DOES CONTRACTOR HAVE A CURRENT BUSINESS LICENSE? ____ WHAT IS THEIR BUSINESS LICENSE NUMBER? ____ IS THEIR ACCOUNT WITH THE CITY CURRENT? ____ IF NOT, HOW MUCH IS OWING? ____

Not applicable.