

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

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

1. Name of Initiator Denise Kleim		2. Telephone No. 503-823-7338	3. Bureau/Office/Dept. Bureau of Development Services
4a. To be filed (date): May 22, 2013	4b. Calendar (Check One) Regular Consent 4/5ths <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		5. Date Submitted to Commissioner's office and FPD Budget Analyst: May 8, 2013
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 tree regulations to change the effective date from July 1, 2013 to January 1, 2015 (Ordinances; amend Ordinance Nos. 184522 and 184524)

2) Purpose of the Proposed Legislation: To postpone the effective date of new tree regulations, from July 1, 2013 due to existing budget constraints and continued strain on the local economy projected for FY 2013-14.

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.

No. This legislation will not generate or reduce current or future revenue. Is it simply delaying the effective date of new tree regulations. Funding was not requested in FY 13-14 budget for this new program because of the General Fund (GF) cuts already being taken at Parks and BDS, and the challenge of maintaining current service levels by GF funded programs.

5) Expense: What are the costs to the City related to this legislation? What is the source of funding for the expense? Cost of implementation has not changed, but is simply delayed. Delay will shift costs from FY 13-14 to FY 14-15. (Parks and BDS did not include the requests in their respective budget proposals for FY 13-14, so nothing about the proposed budget needs to be changed as a result of this ordinance to delay implementation of the new tree regulations.)

6) Staffing Requirements:

- Will any positions be created, eliminated or re-classified in the current year as a result of this legislation? 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 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

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 ordinance is unique because it proposes no budgetary or substantive changes, but rather recommends a change in the implementation date of adopted regulations. The lack of resources for implementation of these regulations are reflected in the Mayor's budget, and further, the chairperson of the City-Wide Land Use Group (CWLUG) was advised that it is not likely that the current July 1, 2013, implementation date can be met.

Although public input was not included with this request the bureaus through the Program Coordinator position will continue to be in communication with community stakeholders involved with the development of the Citywide Tree Project, including but not limited to the CWLUG, Urban Forestry Commission (UFC) and Development Review Advisory Committee (DRAC).

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

a) What impacts are anticipated in the community from this proposed Council item? Because this is a second delay of implementation for regulations that the Council adopted in 2011, it is possible that some stakeholders will express concern about this delay, and want the code to go into effect, and the program funded. However, there are already tree regulations in place in the right-of-way, and on many properties throughout Portland, so there are some protections and tree-planting requirements already in place. The new tree regulations that were adopted but have not gone into effect yet, would expand the geography of where trees are regulated, and also include additional requirements. There is a PSU Study done that showed tree canopy is increasing city-wide even without the new tree regulations, so the delay in implementing the code is not going to have a significant impact on the tree canopy in Portland.

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? There was a stakeholder group and a broader email list, including CWLUG, Urban Forestry Commission (UFC) and Development Review Advisory Committee (DRAC) who were involved in the development of the regulations that were adopted in 2011. These groups remain interested in these regulations and have been kept informed of the progress made by Parks and BDS to prepare for implementation. They will be notified of this proposed delay in implementation.

c) How did public involvement shape the outcome of this Council item? This item, as described above, is a delay ordinance which is necessary due to inadequate resources. The public has weighed in on the City's priorities through the budget process, and some

hard choices are being made due to the limited resources. There are stakeholders who advocate for this project to move forward and be funded, but due to cuts in the General Fund supported programs at BDS and Parks, a General Fund package (that would be needed to move forward with implementing the new code July 1, 2013) was not requested by Parks and BDS.

d) Who designed and implemented the public involvement related to this Council item? As described above, public involvement was limited due to the nature of this proposal.

e) Primary contact for more information on this public involvement process (name, title, phone, email): Mieke Keenan, BDS (503-823-5779).

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

Over the coming months, the Tree Project Stakeholder Group and Project Mailing lists, PSC, UFC and CWLUG will receive updates on ongoing preparations for implementation, including public outreach and the development of outreach materials, design and beta testing of the new tree website, and training, etc.



Paul L. Scarlett, Bureau of Development Services



Mike Abbate, Portland Parks and Recreation

BUREAU DIRECTOR (Typed name and signature)



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

FROM CONCEPT TO CONSTRUCTION

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MEMORANDUM

186053

Date: May 22, 2013

To: Mayor Charlie Hales
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Steve Novak
Commissioner Dan Saltzman

From: Paul L. Scarlett, Director, Bureau of Development Services
Mike Abbaté, Director, Portland Parks and Recreation

PLS
MA

Subject: Ordinance to postpone the effective date of Title 11, Trees and associated Zoning Code amendments

Objective

The Bureau of Development Services and Portland Parks and Recreation are submitting for your review and consideration an ordinance to postpone the effective date of the Citywide Tree Project including Title 11, Trees, Zoning Code amendments and customer service improvements from July 1, 2013 to January 1, 2015.

Project Background

On April 13, 2011 the Portland City Council unanimously adopted the Citywide Tree Project, including a new Title 11, Trees, amendments to Title 33, the Portland Zoning Code, and a set of customer service improvements including a new comprehensive tree website. The Bureau of Planning and Sustainability along with city and community stakeholders designed the tree project to create a clear and consistent regulatory framework for Portland's trees, to enhance the City's urban forest, and improve customer service. The City Council established a phased implementation strategy to allow time for the bureaus to prepare for implementation. Phase 1 of the adopted regulations, which included some minor changes, went into effect on July 1, 2011. Phase 2 includes the bulk of the changes and is currently scheduled to go into effect on July 1, 2013. While a great deal of work has been done by BDS and PP&R, additional work remains.

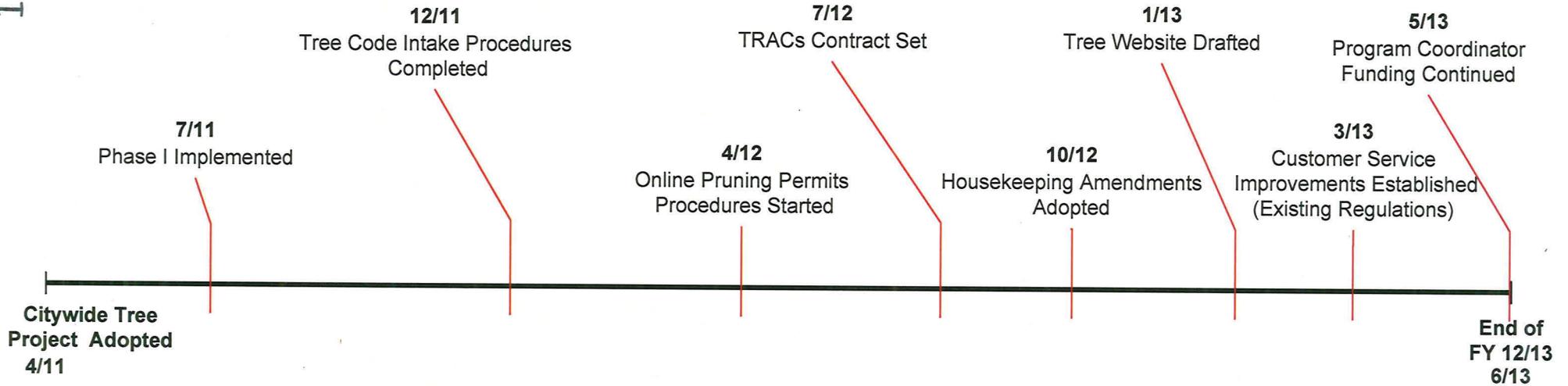
Current Financial Situation & Proposal

The City is still recovering from the economic downturn that resulted in a significant General Fund shortfall. The Mayor's proposed budget includes the requested part-time Program Coordinator position to help BDS and PP&R complete the remaining tasks in preparation for full implementation. Phase 2 expands the geography of where the tree regulations apply, as well as adding new requirements, all of which add staff time to administer at PP&R and BDS. Phase 2 will require several additional staff and vehicles at PP&R and BDS to handle the increased workload.

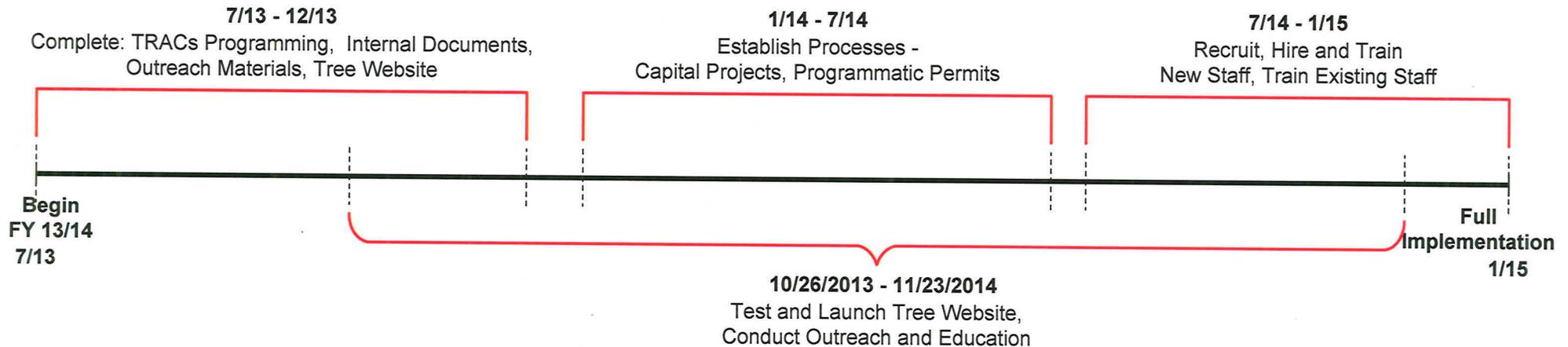
This delay to request the funding in Fiscal Year 2014-15 will allow time for the budget to stabilize and for the bureaus to complete the remaining implementation tasks. These tasks include programming TRACS, conducting outreach to inform property owners, developers and tree care professionals of the new regulations, developing training materials for staff, completing the new tree website, and recruiting, hiring and training new staff. All of these steps are critical to a successful roll-out of full implementation.

186053

Accomplishments



Next Steps



5/22/13
Saltzman amendment

Amendment to City Council item 471:

A 3rd Direction from Council shall state:

186053

Portland Parks and Recreation, the Bureau of Environmental Services, the Bureau of Development Services and the City Budget Office shall bring a report to Council no later than December 18th 2013 on a budget and staffing implementation plan for Ordinance Nos. 184522 and 184524