

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

(Deliver original to City Budget Office. Retain copy.)

|   |  |   |   |
|---|--|---|---|
| 1. Name of Initiator<br>Al Burns  |  | 2. Telephone No.<br>(503) 823-7832  | 3. Bureau/Office/Dept.<br>Planning and Sustainability                       |
| 4a. To be filed (hearing date):<br>July 24, 2013  | 4b. Calendar (Check One)<br>Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/> |   | 5. Date Submitted to<br>Commissioner's office<br>and CBO Budget<br>Analyst: |
| 6a. Financial Impact Section:<br><input checked="" type="checkbox"/> Financial impact section completed |  | 6b. Public Involvement Section:<br><input checked="" type="checkbox"/> 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 \$80,000.

**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.

**3) Which area(s) of the city are affected by this Council item:**

- |  |                                    |                                    |                                |
|--|------------------------------------|------------------------------------|--------------------------------|
| <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                  |                                    |                                    |                                |

**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 fund state-mandated planning work. If the grant were not awarded, the work would need to be done.

Oregon mandates that city comprehensive plans be reviewed periodically, and updated as needed. This requirement is called "periodic review" and 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 generally 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. Portland is one on nine Oregon cities eligible to receive a periodic review grant during the State 2013 to 2014 Fiscal Year.

**5) Expense: What are the costs to the City as a result of this legislation? What is the source of funding for the expense?**

The costs of applying for the grant are negligible. The source of funding for application expenses are City general funds. Although application costs are not eligible for reimbursement under the grant, and awarded grant would fund work that would otherwise have to be done with City general funds. A grant award is probable, and would provide a net financial benefit for the City.

**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.

**7) Change in Appropriations**

There are no changes in appropriations. If the grant were awarded by the state the City ordinance required to accept the award would describe the changes.

| Fund | Fund Center | Commitment Item | Functional Area | Funded Program | Grant | Sponsored Program | Amount |
|------|-------------|-----------------|-----------------|----------------|-------|-------------------|--------|
|      |             |                 |                 |                |       |                   |        |
|      |             |                 |                 |                |       |                   |        |
|      |             |                 |                 |                |       |                   |        |
|      |             |                 |                 |                |       |                   |        |

**PUBLIC INVOLVEMENT**

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**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, that is 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 a 15 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 03, 2011 with an application deadline of July 31, 2011. The short 28 day application window 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

*Susan Anderson*

BUREAU DIRECTOR



# Oregon

John A. Kitzhaber, M.D., Governor

## Department of Land Conservation and Development

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July 3, 2013

**TO:** Cities of Forest Grove, Hermiston, Keizer, Lake Oswego, Pendleton, Portland, The Dalles, Tigard, and Troutdale

**FROM:** Rob Hallyburton, Grant Program Manager

**RE:** Periodic Review Grant Applications

The Land Conservation and Development Commission has made periodic review grants among the highest priorities for use of state General Fund planning grant dollars. The grant fund for the 2013-15 biennium has been reduced relative to previous biennia, but LCDC continues to be committed to assisting in completion of periodic review programs.

### Periodic Review Grant Applications Now Being Accepted

The application for the 2013-15 biennium is attached. The July 31 submittal date is not characterized as a "deadline" since we will not disqualify applications that arrive after that date because we know we're requesting a short turnaround. If you can submit your application, or at least an indication of how much your application will be for, by that date it will assist DLCD's larger grants allocation decision-making process. If DLCD decides to apply a hard deadline for applications, we will let you know.

Periodic Review grants will be awarded to assist in completing mandatory tasks on existing periodic review work programs. Requests for grants will be reviewed to ensure the proposed scope of work agrees with the periodic review work program, that the work can be accomplished in the allotted time, and that the grant amount requested is appropriate for the work that needs to be completed.

### Eligible Costs

Grant funds may be expended only for direct project-related costs associated with the funded project. Eligible costs include salary of staff assigned to the project, consultant fees, postage, supplies, and printing. Equipment purchases and indirect costs, including general administrative overhead and software, are not eligible costs.

Grant funds are provided on a reimbursement basis for documented expenses in accordance with the payment schedule specified in the grant agreement. Costs incurred prior to signing a grant agreement are not eligible project costs. This includes costs of preparing the grant application, preparing a statement of work for the grant agreement, and selecting a consultant.

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**Application Instructions and Information**

Applicants are expected to contact their DLCD regional representative before submitting the grant application to discuss the scope and amount of the grant.

No local match is required. However, applicants are encouraged to show a local cash or in-kind contribution that will clearly be used to aid in completing the grant product(s).

An electronic, fillable form is provided. DLCD will accept applications electronically or in hard copy. Submit the application form and scope of work according to the instructions on the form.

DLCD will confirm receipt of applications, review applications promptly, contact applicants if additional information is needed to complete review, and notify applicants of our decision.

DLCD reserves the right to condition grant agreements to ensure proper grant administration, progress reporting and successful completion of grant products.

DLCD will prepare and send two original grant agreements to the local government for signature. Both originals (not faxes) must be signed and returned to DLCD and signed by DLCD before the agreement is in effect and grant costs can be incurred. One signed original will be sent back to the local government for its file.

Once signed by the jurisdiction and the department, the grant agreement is a legal contract between the grantee and the state of Oregon.

Progress reports, payment requests, final closeouts, grant products and related documentation must be submitted to DLCD in accordance with state and department grant requirements and provisions of the signed grant agreement.

Unless an earlier date is specified in the grant agreement, the deadline for expending grant funds is June 30, 2015. The department cannot reimburse for work performed after that date.

**For Further Information**

Please contact your regional representative if you have questions or concerns regarding applying for or receiving a DLCD Periodic Review grant.



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

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## MEMO

DATE: July 16, 2013, 2013  
TO: Mayor Charlie Hales  
FROM: Susan Anderson, Director

1. **Ordinance Title:** \* Authorize application to the Oregon Department of Land Conservation and Development for a Periodic Review Grant in the amount of \$80,000 (Ordinance).

**Contact Name:** Al Burns, AICP, Senior City Planner

**Department:** Bureau of Planning and Sustainability

**Phone Number:** (503) 823-7832

2. **Requested Council Date:** July 24, 2013
3. ☒ **Consent Agenda Item** ☐ **Regular Agenda Item**
4. ☒ **Emergency Item (explain below)** ☐ **Non-Emergency Item**

*If this is an emergency, why does this need to take effect immediately:*

This is an ordinance to apply for a grant. The grant program was first announced on July 3, 2013 with an application deadline of July 31, 2013. The ordinance needs to take effect immediately, because if it didn't, authorization to apply for the grant would not take effect until after the grant deadline.



City of Portland, Oregon | Bureau of Planning and Sustainability | [www.portlandonline.com/bps](http://www.portlandonline.com/bps)  
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5. **History of Agenda Item/Background:** The Portland City Council transmitted a periodic review work program to the Oregon Department of Land Conservation and Development (DLCD) in 2008. This work program was designed to update the economic development, housing, public facilities, transportation, and urbanization elements of the City's Comprehensive Plan. The DLCD approved Portland's periodic review work program in 2009. This approval made the Portland Bureau of Planning and Sustainability eligible for periodic review grants. The City has received four periodic review grants. If awarded, this would be the fifth, and last, periodic review grant that the City would receive.
6. **Purpose of Agenda Item:** The purpose is to obtain the permission necessary to apply for a fourth periodic review grant.
7. **Legal Issues:** There are no known legal issues, other than periodic review is a mandated program. The City would be required to complete its periodic review work program even if no further grants were awarded.
8. **What individuals or groups are or would be opposed to this resolution?**

No known opposed.

**What individuals or groups are or would be supportive?**

No known supportive. It is, however, reasonable to assume support for state grants to offset the costs of state mandated work.

9. **How does this relate to current City policies?** It is the city's policy to maintain, and as necessary, to update its Comprehensive Plan. If a periodic review grant were awarded, the funds would support a plan update. [Please see: existing *Comprehensive Plan* Goal 10, and Policies 10.1 and 10.2; and *Portland City Code* 3.30.030(B).]

