

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

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

1. Name of Initiator Deborah Sievert-Morris		2. Telephone No. 3-7338	3. Bureau/Office/Dept. BDS – 299/5000
4a. To be filed (date): 2/4/15	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: 1/28/15
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 the Director of the Bureau of Development Services to execute a Memorandum of Agreement relating to Delegated Building Inspection Program (MOA) with Building Codes Division of the Department of Consumer and Business Services (Resolution)

2) Purpose of the Proposed Legislation:

Authorizes the Director of the Bureau of Development Services to execute a Memorandum of Agreement between the City and the State Building Codes Division relating to the City's building inspection program as required by a newly-adopted Temporary Administrative Rule.

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 additional revenue is anticipated with the proposed resolution. The resolution authorizes the Director of the Bureau of Development Services to execute a Memorandum of Agreement with the State relating to the City's building inspection program.

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**.)

No additional cost is anticipated with the proposed resolution. The resolution authorizes the Director of the Bureau of Development Services to execute a Memorandum of Agreement with the State relating to the City's building inspection program.

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.)

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.

Execution of the Memorandum of Agreement is required by Oregon Administrative Rule 918-020-0090(1)(1).

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.

No; see response to #8 above.



Paul L. Scarlett, Director

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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February 4, 2015

To: Mayor Hales
Commissioner Fish
Commissioner Fritz
Commissioner Novick
Commissioner Saltzman

From: Paul L. Scarlett, Director
Bureau of Development Services

PLS

Regarding: Proposed Resolution Authorizing the Director of the Bureau of Development Services to execute a Memorandum of Agreement relating to Delegated Building Inspection Program (MOA) with Building Codes Division of the Department of Consumer and Business Services.

The Bureau of Development Services (BDS) administers and enforces its building inspection program pursuant to authority granted to it in state statute. The Building Codes Division of the Department of Consumer and Business Services is the state agency that oversees building inspection programs statewide. Every four years, BDS submits an Operating Plan to the Building Codes Division that outlines the City's building inspection program and permitting services to ensure that the program complies with state law. On November 14, 2014, the Building Codes Division adopted a Temporary Administrative Rule adding a requirement that all cities with a building inspection program must enter into a Memorandum of Agreement (MOA) with the State. The purpose of the MOA is to memorialize the statutory duties and functions imposed on BDS as part of its assumption of the administration and enforcement of the building inspection and permitting program.

For the most part, the MOA simply re-states the state law requirements for the building inspection program. However, BDS does have some concerns with the language in the MOA. First, the mutual indemnification language is not identical. Second, some of the language in the MOA differs from the language in the Oregon Revised Statute and Oregon Administrative Rules from which it is derived. We have noted these issues in a cover letter that will accompany the executed MOA.

The Building Codes Division has requested that the MOA be executed and returned to them on or before February 15, 2015. Because the MOA contains indemnification language, the City Council must authorize the Director of BDS to execute it. The attached resolution authorizes the Director of BDS to execute the MOA with the Building Codes Division.