

Portland, Oregon

FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

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

1. Name of Initiator Dawn Hottenroth		2. Telephone No. 3-7767	3. Bureau/Office/Dept. BES / Director's Office
4a. To be filed (hearing date): May 30, 2012 and June 6, 2012	4b. Calendar (Check One) Regular Consent 4/5ths X <input type="checkbox"/> <input type="checkbox"/>		5. Date Submitted to Commissioner's office and FPD Budget Analyst: May 17, 2012
6a. Financial Impact Section: NA Financial impact section completed		6b. Public Involvement Section: X Public involvement section completed	

1) Legislation Title:

Amend various sections of the Public Works Improvement Code for consistency of definitions and general language and organization cleanup. (Ordinance; replace code Chapter 17.04, amend code Chapters 3.13, 17.06, 17.24 – 17.28, 17.32 - 17.39, 17.44, 17.76, and 17.80).

2) Purpose of the Proposed Legislation:

To amend code sections to provide consistency in definitions, correct cross references, include minor changes to meet new permit requirements, and reorganize for clarity.

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

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.

Not Applicable

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.)

Not Applicable

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.)

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

Not Applicable

(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

185397

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.

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

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

Enhanced understanding and clarity of PCC sections related to BES programs. These minor changes not anticipated to have any community impact.

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?

This code package was developed by staff from BES, PBOT and the City Attorney's Office.

The proposal has been listed for over 6 months on the DRAC code and rules action sheet.

Public notice was posted on April 16th and documents were available for public review until May 11th. Minimal comments were received. No public hearing was requested.

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

No input was received.

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

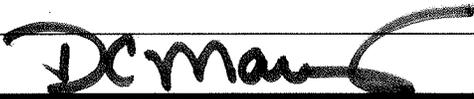
BES Environmental Policy Division staff

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

Dawn Hottenroth, Environmental Policy Analyst

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

No because this action does not propose and substantive code changes that have an impact on BES requirements



APPROPRIATION UNIT HEAD (Typed name and signature)



CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 ■ Dan Saltzman, Commissioner ■ Dean Marriott, Director

City Council
Agenda Item
Staff Supplemental Report

TO: Commissioner Dan Saltzman

THROUGH: Amy Trieu

FROM: Dawn Hottenroth, Environmental Policy Analyst

DATE: May 11, 2012

RE: BES Code Clean up Package

Requested Council Hearing Date: May 30 and June 6th 2012

I. RECOMMENDATION

Please recommend passage of the proposed code amendments. These amendments enhance clarity and consistency of the various code sections, especially definitions used across multiple Chapters. The changes also reflect minor changes based on new flexibility or requirements in the recent NPDES discharge permit for the Columbia Boulevard Treatment Plant.

This is a companion piece to the Easements Management Ordinance filed for the same Council hearing.

II. BACKGROUND

This package was developed over the last nine months by staff from BES, the City Attorney's Office and PBOT. The proposed definition changes are the last phase of code clean up work started by BES and PBOT in 2008. Language is updated, simplified and sections reorganized to enhance clarity. Changes include:

- Changes to over 130 BES definitions to make them consistent amongst Chapters of Title 17. Deletes 15 terms that are no longer used. Proposes an updated and enhanced Chapter 17.04 with definitions to be used through Title 17 for use by BES, PBOT, Parks, and BPS. Corresponding changes to other code sections made to reflect new terms used.
- Moves BES administrative rule-making authority out of individual code sections and into PCC Title 3 to be used with all BES program efforts.
- Changes the Sanitary Discharge Chapter (17.34) to add consistency with recently changed Stormwater Discharge Chapter (17.39) changes and incorporate new State of Oregon permit requirements and flexibility.
- Adds language to authorize BES to establish City of Portland mitigation banks for river restoration efforts.

- Changes PBOT code chapters to:
 - Update hazardous materials requirements for projects in City rights of way.
 - Adjusting the terms for the Public Works Appeals board members so they are staggered.
 - Clarify which curbs need to be considered in BES stormwater curb extension facilities where two distinct and parallel curbs exist.
- Corrects outdated and incorrect code references.

III. FINANCIAL IMPACT
Not applicable

IV. LEGAL ISSUES
None anticipated. Updated language does remove some ambiguity in the code language that will aid in comprehension.

V. CONTROVERSIAL ISSUES
None identified.

VI. LINK TO CURRENT CITY POLICIES
These code changes will be closely followed by updates to three program administrative rules sets in June. The proposed definition changes were made per the request of the City Attorney's Office and has been a priority for over three years.

VII. CITIZEN PARTICIPATION
The proposed code and administrative rules changes were posted for public review on the BES website from April 16 to May 11, 2012. A notice was placed in the newspaper on April 16, 2012 advertising the package was available for review. In addition this workplan item has been on the DRAC tracking list for over six months.

VIII. OTHER GOVERNMENT PARTICIPATION
No agency outside the City was involved in this proposal.

IX. FINANCIAL IMPACT ON LOCAL ECONOMY
Not applicable
IF APPLICABLE, PROVIDE INFORMATION ON ESTIMATED NUMBER OF JOBS CREATED BY THIS ACTION

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

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? _____