

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): January 16, 2013	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: November 1, 2012
6a. Financial Impact Section: NA Financial impact section completed		6b. Public Involvement Section: X Public involvement section completed	

**1) Legislation Title:**

Replace the Sewer User Charges Code for consistency of definitions, clarification of terms, and addition of enforcement measures. (Ordinance; replace code Chapter 17.36).

**2) Purpose of the Proposed Legislation:**

To replace the BES sewer charges code section to provide consistency in definitions, make minor changes for clarity, and to expressly describe potential enforcement measures.

**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)?**

- X 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]**

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 sections related to charges that support various 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 and the City Attorney's Office.

The proposal has noticed on the DRAC code and rules action sheet for over 3 months.

Public notice was posted on September 13th and documents were available for public review until October 12<sup>th</sup>. No 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

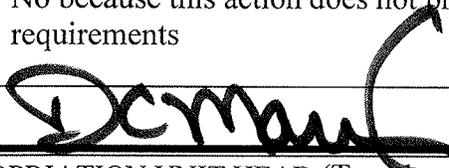
e) Primary contact for more information on this public involvement process (name, title, phone, email):

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

ELL



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

185870

City Council  
Agenda Item  
Staff Supplemental Report

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TO: Commissioner Dan Saltzman

THROUGH: Amy Trieu

FROM: Dawn Hottenroth, Environmental Policy Analyst

DATE: January 7, 2013

RE: AMENDMENT to Replacement of the Sewer User Charges Code (17.36)

Requested Council Hearing Date: January 16 and 23, 2013

I. RECOMMENDATION

Please present and recommend this attorney sponsored amendment to the previously filed ordinance. The attorneys reworded the intent, removed the Superfund Portland Harbor definition and clarified language in the Portland Harbor calculation section..

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. These changes reflect Commissioner Fritz and City Attorney changes.

II. BACKGROUND

This package was developed over the last five months by staff from BES and the City Attorney's Office. 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:

- Providing consistent definitions with the spring 2012 code clean up work. Also provided new definitions for clarity.
- Reorganizing the Chapter to group the usual one time connection costs and ongoing user charges.
- Explicitly stating the potential enforcement measures for failure to pay charges.
- 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

There were concerns that the language be broad enough to allow for full consideration of financing opportunities for Portland Harbor.

VI. LINK TO CURRENT CITY POLICIES

These code changes will be closely followed by updates to four sets and creation of a new administrative rule sets in the fall. 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 September 13 to October 12, 2012. A notice was placed in the newspaper on September 12, 2012 advertising the package was available for review. In addition this workplan item has been on the DRAC tracking list for over three 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? \_\_\_\_\_