INTRODUCTION

In FY 2021-22 the Bureau of Planning and Sustainability (BPS) will continue its efforts focused on implementation of programs and policies strategically aligned with the Multnomah County and City of Portland Climate Action Plan and the 2035 Comprehensive Plan. As highlighted in prior reviews, CBO finds BPS’ internal prioritization of core planning services and issues of funding, timeline, and prioritization of climate and sustainability efforts to be critical factors in enabling
the bureau to meet the City’s Comprehensive Plan goals and climate goals as outlined in the City’s Climate Emergency Declaration and Climate Action Plan. A summary of CBO’s recommendations and key considerations for Council are below.

- BPS’ Requested Budget’s 5% General Fund ongoing reduction constraint totals $493,256. CBO recommends partial restoration of this constraint package via requested addbacks, resulting in a total reduction of $176,695 in General Fund ongoing resources:
  - CBO recommends adding back $263,061 in ongoing General Fund resources to support the bureaus Code Development and Urban Design and Research programs. This recommendation restores funding for 2.0 FTE Planners.
  - CBO recommends adding back $53,500 in ongoing General Fund resources for materials and services within BPS’ Climate, Energy, & Sustainable Development program.

- CBO does not recommend a request for $125,000 in additional one-time General Fund discretionary resources to fund a community-based Citywide technology advisory body through the Smart City PDX program. CBO does recommend Council consider funding this request with American Rescue Plan resources once the rules and funding are finalized.

**BASE BUDGET & KEY ISSUES**

BPS leads the City’s planning and urban design programs and the City’s sustainability and climate action efforts. BPS’ FY 2021-22 Requested Base Budget totals $186.5 million and consists of 104.5 FTE. Approximately 5% of the budget, or $9.9 million, is funded by General Fund resources. Significant growth in BPS’ budget over the past two fiscal years is due to the creation of the Portland Clean Energy Fund (PCEF), providing an influx of new annual resources and operational requirements.\(^1\) In addition to the 5% ongoing General Fund constraint requirement, the bureau’s Requested Budget is also impacted by downturns in Solid Waste Management Funds revenues and interagency agreements with partner bureaus.

**Stability of Resources and Prioritization of Core Planning Services**

**Bureau Organizational History**

In 2009, City Council created BPS by merging the Bureau of Planning and the Office of Sustainable Development.\(^2\) Since the bureau has a unique dual responsibility of leading the City in both urban planning and design, as well as in climate and sustainability, the bureau organizes itself into four main programs: 1. Planning & Urban Design 2. Sustainability & Climate Action 3. Bureau Administration, and 4. Equity & Engagement.\(^3\) Planning & Urban Design programs include: Code

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\(^1\) While PCEF will have significant impacts in supporting community led climate action, restrictions on the fund prevent the bureau’s use of resources on current and ongoing climate and sustainability work within the bureau.

\(^2\) This structure varies from many other cities, in which planning departments are usually connected to building and/or development functionalities. Examples of this structure include Oakland, California and Seattle, Washington.

\(^3\) The Equity & Engagement program is a new program offer for FY 2021-22. It will oversee the BPS Equity Roadmap.
Development, Comprehensive & Strategic Planning, Area Planning, Urban Design & Research, River & Environmental Planning, and Smart City PDX. Planning functionalities of the bureau are predominantly funded by General Fund resources (ongoing and one-time), intergovernmental resources, and interagency agreements. Sustainability & Climate Action programs are funded by those resources, in addition to Solid Waste Management Fund, Community Solar Fund, and Portland Clean Energy Fund resources.

BPS considers core programs those that are set in its strategic plan, functions required by State law, and initiatives based on goals identified in the Climate Action Plan and the 2035 Comprehensive Plan, in addition to directives from City Council, and community leadership. A key issue for the bureau in recent fiscal years has been prioritizing BPS’ core services and workplan while identifying a more stable funding plan for BPS’ programs, policies, and initiatives. CBO continues to recommend that the bureau holistically prioritize core bureau services - across planning and sustainability functions - and reprogram resources in its base budget accordingly. Because non-General Fund resources, such as the Solid Waste Management Funds, have been available to fund climate and sustainability programs, core planning program capacity has been more prominently affected by General Fund resource limitations.

**Funding Stability for Core Planning Programs**

As previous CBO analysis states, BPS believes the instability of one-time General Fund resources in its budget impedes its ability to move planning projects forward in a timely manner.\(^4\) BPS’ ongoing General Fund resources have grown in recent years and one-time General Fund resources have fluctuated (as shown in the left graph below).

BPS also notes that internal bureau service level tradeoffs due to funding constraints over recent fiscal years has reduced permanent FTE in its planning programs, which has subsequently impacted its capacity to deliver on long-range planning initiatives. As shown in the right graph above, Planning and Urban Design FTE have fluctuated from a high of 44.6 FTE in FY 2019-20 to a low of 33.0 FTE in BPS’ FY 2021-22 base budget. Reduction in permanent FTE positions are predominantly due to not having a stable ongoing funding source to support them. BPS’ reliance on limited term staff has fluctuated over this time frame as well, reaching a height of 10.0 in FY

\(^4\) For previous CBO analysis on this issue, please see: https://www.portlandoregon.gov/cbo/article/754855
2019-20. Some fluctuation in planning staffing makes sense due to the plan and project-based nature of the bureau - for example, some of the reductions listed above may be reasonably correlated with the completion of the Comprehensive Plan, the Central City 2035 Plan, and the Portland Plan - increased reliance on limited term FTE can result in instability in staff capacity and funding for services. It is CBO’s understanding that BPS plans to limit its reliance on limited FTE moving forward unless the funding source is short-term in nature.

**Grant Funding and Interagency Agreements**

BPS has historically relied on external grant funding to support multi-year planning projects, as well as interagency agreements from partner bureaus to fund core planning programs. These sources are appropriate for project-based programming but increase instability when supporting ongoing staffing or operational capacity.

Grant resources have fluctuated by BPS program area over time, especially within the Planning & Urban Design Program. There is a spike in grant resources in the current fiscal year in the Director’s Office resulting from a $3.5 million allocation of Federal Coronavirus Aid, Relief, and Economic Security (CARES) resources for Digital Divide programming (as shown in the graph).

Bureau financial instability is heightened by a reliance on interagency funding from bureaus such as the Portland Bureau of Transportation (PBOT), Bureau of Environmental Services (BES), and the Bureau of Development Services (BDS) for some of the bureau’s core work and services via interagency agreements.

The BDS funding is the most notable. In many other cities, planning departments are connected to building and/or development functionalities and rely on a portion of fee revenue for some of its core planning functionalities, such as code development and long-range planning. Due to the City of Portland’s structure, planning functionalities have been largely supported by the General Fund. BPS has held various interagency agreements with Development Services to fund Code Development work, including development and maintenance of the Portland Zoning Code (Title 33) and related development regulations. However, these agreements have fluctuated based upon Land Use Services program resource availability within Development Services, with the interagency agreement being discontinued altogether during FY 2019-20 budget development. This elimination lead to an immediate 5% shortfall within BPS. BPS notes that it is interested in identifying the development of new ongoing revenue to bolster core planning functions of the bureau, including a potential long-range planning fee in association with development fees. These types of development fees for zoning code and long-range planning work are common in other municipalities where planning and development services functions are not separated, such
as Los Angeles, California; however, they must be pursuant to State law. CBO urges BPS, Council, and BDS to continue these conversations as this could represent a significant stabilizing revenue stream for core planning work.

In the current financial environment, it is imperative that the bureau’s workplan be scalable based on available resources without impacting legally mandated services. A significant portion of the planning workplan includes deliverables that are required by mandates from various levels of government, such as Oregon’s land use laws. CBO recommends that BPS continue to prioritize all work that is legally mandated within its base budget allocation. Much of BPS’ work has been identified as a Council priority; for this work, CBO recommends Council and the bureau determine which aspects of BPS’ workplan are immediate priorities versus future fiscal year priorities, and assess if new resource allocation is available and necessary to achieve these Council goals.

Operating Projects

BPS could increase transparency around funding and staff committed to multi-year projects and enhance Council’s ability to evaluate the tradeoffs required when faced with competing priority projects by budgeting required resources in operating projects in the City’s databases. Bureaus with similarly structured workplans to BPS, such as the Portland Housing Bureau (PHB), use this type of budgeting with success, and CBO has recommended BPS pursue this approach in recent years. In FY 2019-20, BPS set up two operating projects for the Anti-Displacement Plan project and floodplain planning. At that time, BPS noted that as projects are identified, it plans to add additional operating projects; however, it is CBO’s understanding that BPS does not plan on adding any more operating projects at this time. To have the most impact, CBO encourages the bureau to create and track operating projects with urgency and based on its current workplan.

Funding Strategy and Prioritization of the Climate Emergency Workplan

Resolution 37494, passed by Council in June 2020, declared a climate emergency in the city of Portland, acknowledged the impact of climate change on frontline communities, and adopted a new target of achieving at least a 50% reduction in carbon emissions below 1990 levels by 2030 and net-zero carbon emissions before 2050. Further, this resolution directs BPS to work with other City bureaus and external stakeholders to launch a Climate Justice Initiative that centers frontline communities in the development of equitable community benefits that reduce carbon emissions. The declaration did not identify any direct

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5 For additional information on Los Angeles Planning Fees, please see: https://planning.lacity.org/Code_Studies/Other/FeeIncreaseOrd182310.pdf
financial or budgetary impacts, but associated documentation stated that funding considerations for any specific climate action policies, programs, or actions that the City advances would be addressed through that action’s development process or the City’s budget process. *There remains a significant unknown funding gap in the City’s climate and sustainability work, as BPS has stated it does not have sufficient resources necessary to achieve the actions outlined in the recent Climate Emergency Declaration and no funding source has been identified.* Council and BPS must work to prioritize BPS’ climate efforts in context of BPS’ overall workplan inclusive of core planning functionalities, and the City’s various climate related efforts.

In its FY 2021-22 Requested Budget, the bureau allocated $1.4 million in its Climate, Energy, & Sustainable Development program offer from a variety of revenue sources, including $702,000 in General Fund ongoing resources (see graph). Although the Portland Clean Energy Fund (PCEF) grant resources provide a significant new funding stream for climate and sustainability efforts in Portland, with an estimated $44-61 million in resources collected annually; the intended and restricted use of these resources is to support community-led initiatives, so the City cannot currently use these resources to internally fund its climate action workplan.

The amount of increased funding required to meet the Climate Emergency goals is currently unknown. Without greater context on the prioritization of different climate efforts and a comprehensive funding strategy, it is challenging for CBO to analyze the merits and tradeoffs associated with requests for limited General Fund resources. BPS recently released *draft proposals* for two new revenue streams for climate-related work that could help address this funding gap. The proposals would introduce surcharges to certain businesses that are large air polluters or emit significant amount of carbon emissions; allowable uses of the resources would include clean air and climate activities. These proposals are expected to come before Council in Spring 2021. The proposals in their current form would generate $11 million annually, providing a significant amount of increased resources for the City’s climate work; however, it is expected that the amount of annual revenue would decrease as carbon emissions decrease.

Although BPS is tasked with coordination of the City’s climate and sustainability efforts, many bureaus throughout the City have workplans that further our climate efforts and goals. Therefore, continued tracking of climate spending and performance on climate efforts Citywide remains important. A budget note was included in the FY 2020-21 Adopted Budget, directing BPS and the Office of Management and Finance Division of Asset Management to report annually the outcomes of the investments in climate action associated with green fleet and carbon reduction efforts for the next three years due to limited resources provided for program expansion in the FY 2020-21 budget. CBO recommends the continuation and expansion of this approach for all Climate Action investments Citywide. CBO also notes that the City is not the only local climate actor and recommends a continued and expanded regional lens in the City’s climate approach.

**Solid Waste Management Fund Revenue Decline**

The COVID-19 pandemic has impacted Solid Waste Management Fund (SWMF) revenues, which is usually a stable resource for BPS’ waste collection and sustainability programs. Fund revenues are from residential franchise, commercial tonnage, and permit fees. Resources support the bureau’s 1) Waste Collection program, including the public trash can program; 2) the Climate,
Energy & Sustainable Development program; and 3) the Sustainable Consumption & Production team. Impacts are predominantly related to commercial waste collection as Portland businesses are generating fewer tons of solid waste that are subject to the commercial tonnage fee during the pandemic. The bureau navigated a 15% reduction in forecasted revenues in FY 2020-21 and anticipates an additional $700,000 (or 12% reduction) in FY 2021-22. The bureau absorbed these reductions with minimal impacts to direct services by leaving vacant positions unfilled, delaying engagement activities, and reducing mailings. BPS’ five-year forecast projects SWMF revenues recovering beginning in FY 2022-23, but a slower economic recovery could impact revenues levels and bureau programming. BPS is planning for an increase in tonnage fees of $2.50 in FY 2022-23 and another increase in FY 2025-26, which is reflected in the forecast.

**DECISION PACKAGES**

**General Fund 5% Constraint Package**

*PN_11418, ($493,256), 3.00 FTE*

**Request Summary**

Per the Mayor’s FY 2021-22 Budget Guidance, this decision package includes a 5% reduction in BPS’ General Fund ongoing resources totaling $493,256. This includes $81,172 in General Fund overhead resources and $412,084 in General Fund discretionary resources.

**CBO Analysis**

This reduction meets the 5% constraint directed in the FY 2021-22 Mayoral Guidance. The reduction includes $397,756 in personnel expenses that currently fund 3.0 FTE and $95,500 in materials and services expenses, described by program area below.

*Various Core Planning Programs: ($263,061) in personnel expenses*

This portion of the request reduces Planning & Urban Design program FTE by 2.0 FTE and would result in two staff layoffs as these positions are currently filled. BPS submitted an “add-back” decision package requesting these resources remain in its budget; further explanation and analysis is provided in the add-back section below.

*Climate, Energy, & Sustainable Development: ($53,500) in materials and services*

This portion of the request reduces the Climate, Energy, & Sustainable Development program’s materials and services budget by $53,500. Resources would be used for various contracts and to compensate community members. BPS submitted an “add-back” decision package requesting these resources remain in its budget, which is analyzed below.

*Communications and Community Engagement: ($176,695) total, including ($134,695) in personnel services and ($42,000) in materials and services*

This portion of the request includes the reduction of a permanent full-time Coordinator III from the Communications program, which is currently filled and would result in a staff layoff. This position supports all planning programs in document editing, is the lead writer for many public-facing documents and serves as the Planning Program’s Public Information Officer. The materials
and services reduction includes resources for community member stipends on various engagement efforts, and will reduce capacity for translation and interpretation services, and technical and marketing efforts. The bureau did not submit an add-back decision package to request these resources are retained. Careful consideration has been given in evaluating the tradeoffs between the need to close a projected General Fund revenue shortfall while maintaining critical City services and functions. CBO recommends this portion of the reduction as requested as service level impacts are anticipated but would not significantly impact the bureau’s core services. However, CBO urges the bureau to reprioritize resources within its existing budget to ensure there is not a reduction to its capacity for translation and interpretation services.

**Constraint Total: ($493,296 ongoing) | (3.00) FTE**

**Maintaining Core Planning Capacity to Meet Community and Development Needs - Add Back**

*PN_11419, $263,061, 2.00 FTE*

**Request Summary**

This request restores the $263,061 in personnel expenses and 2.0 FTE in the Planning & Urban Design program submitted to meet the bureau 5% General Fund constraint. This includes $181,888 in General Fund ongoing discretionary resources and $81,173 in General Fund overhead resources.

**CBO Analysis**

These resources support 2.0 FTE - an Associate Planner in the Code Development Program and a City-Land Use Planner II in the Urban Design and Research Program, which are both filled full-time permanent positions. BPS states that if these 2.0 FTE are not funded on an ongoing basis, there would be implementation delays in the bureau’s core planning work, including various multi-year planning projects. It would also limit BPS’ capability to respond to emerging Council requests and legislative priorities. Due to the project-based nature of BPS’ planning workplan and its matrix staffing model, the extent of delays and/or precise service impacts of this reduction are uncertain. An example of an unplanned Council request in the last fiscal year includes zoning code changes related to the COVID-19 emergency and additional work on the Expanding Affordable Housing Options project. Potential emerging projects that BPS would need this capacity for in FY 2021-22 include changes to land use policy and regulations to development barriers to support COVID-19 economic recovery, requests from the BDS Development Review Advisory Committee (DRAC) for code updates, and the Residential Infill Project II. More specifically, the bureau states that these reductions will most significantly result in service delivery tradeoffs in its Code Development and District Planning programs.

- **Code Development**: In FY 2021-22, BPS plans on starting the Spatial Justice Project, which is focused on addressing past harms to Black Portlanders in relation to City zoning. BPS states the timeline and scope of this project would be affected without these 2.0 FTE.

- **District Planning**: In District Planning, FY 2021-22 work includes community centered development plans in Brentwood/Darlington, the Southwest Corridor, and East Portland. If
these 2.0 FTE are not included in its budget, BPS would prioritize this work within its base budget and shift staff capacity to these efforts, which would affect capacity for other projects.

BPS also notes that the reduction of these 2.0 FTE could impact timelines for work on the West Portland Town Center, the Economic Opportunity Analysis (EOA), and the regulation of fossil fuel terminals. The City-Land Use Planner II position is the project lead for the Anti-Displacement Action Plan project. If this position was not added back, BPS would still prioritize the work with existing positions.

Given the importance of likely near-term projects, CBO recommends the restoration of these resources in order to retain the bureau’s financial stability and ability to provide other core services. As discussed in the Base Budget & Key Issues section above, core planning programs have seen instability of funding sources and FTE over time and this reduction would exacerbate that instability before a holistic prioritization of core services and funding strategy is created, as well as result in two staff layoffs. The request is somewhat scalable, Council may choose to add back 1.0 FTE instead of the full 2.0 FTE. In this scenario BPS would likely prioritize the continuation of work on the Anti-Displacement Action Plan and support for projects with funding or legal deadlines for performance. As discussed in the base budget analysis above and highlighted by this request, it is critical that City Council and the bureau determine its prioritization of core planning services, inclusive of appropriate resources and timelines to limit these types of requests in the future.

**CBO Recommendation: $263,061 ongoing | 2.00 FTE**

### Implementing the Climate Emergency Declaration - Add Back

*PN_11420, $53,500*

**Request Summary**

This decision package requests to add back the $53,500 in materials and services from BPS’ Climate, Energy, & Sustainable Development program submitted to meet the bureau 5% General Fund constraint.

**CBO Analysis**

Without this add-back, the Climate, Energy, & Sustainable Development program materials and services budget totals $214,350. BPS notes that the main service level tradeoff associated with not restoring these resources is a delay in implementing key components of the City’s Climate Emergency Declaration and a reduction in the technical capacity for ongoing climate analysis. The Climate, Energy, & Sustainable Development program relies on materials and services resources to increase professional and technical capacity to the program, as well as to resource community members who participate in various engagement efforts. In FY 2021-22 BPS plans to allocate the $53,500 in “add-back” resources as follows:

- Resourcing community members during engagement for the Building Performance Standards Project.
Executing contracts to explore options to reduce freight transportation pollution, program development of the Climate Justice Initiative, and for technical analysis, predominantly related to carbon emission reporting.

Careful consideration has been given in evaluating the tradeoffs between the need to close a projected General Fund revenue shortfall while maintaining critical City services and functions. CBO notes the importance of resourcing the City’s climate goals, as outlined, and adopted, by City Council in the recent Climate Emergency Declaration and recommends that these resources are restored in BPS’ budget to help further this work. As discussed in the Base Budget & Key issues section of this review, BPS plans to bring two new climate surcharges before Council by Spring 2021, which if adopted, would provide significant new resources for its Climate program in future fiscal years that could fund these types of activities. At that time, these resources could be reallocated to fund other urgent priorities within the bureau’s workplan.

CBO Recommendation: $53,500 ongoing

Smart City PDX Community Leads

PN_11421, $125,000

Request Summary

This request is for $125,000 in new one-time General Fund resources to fund a new project within the Smart City PDX program called the Community Leads on Technology Workgroup (“Community Leads”). Resources are requested to primarily hire community members as consultants to help advise on Citywide technology policies. BPS states that this request “contributes to long-term cost savings, efficiency, or effectiveness of City government and service,” as put forth in the Mayor’s Supplemental Budget Guidance. The proposal funds the following:

- Recruit, select, and onboard Community Consultants: $5,000
- Support, evaluation, and adaptive management: $25,000
- Community Consultants compensation: $72,000
- Engagement activity support: $23,000

CBO Analysis

This request builds off the Smart Cities PDX Equity Consultant Advisors (ECA) program, a pilot project in FY 2019-20. The program hired community members at a rate of $100 per hour for a year to consult on equity related work for Smart Cities. The program collected qualitative data from the community consultants, which showed that, in general, the group appreciated the community-centric model, while outlining recommendations for improvement.

BPS wants to build off the ECA approach and integrate it with the Digital Divide project.

6 The first year of the surcharge would be in April 2022, but the bureau has stated that it would explore the opportunity of executing an interfund loan to begin increasing capacity in its Climate and Sustainability program beginning in FY 2021-22.
workgroup model, which supported active community leadership in project design, implementation, and outcomes. The Community Leads Program would recruit four community experts as subcontractors that would support BPS in collaboratively building a new “Community Leads on Technology Work Group.” The new workgroup would help advise on Citywide technology projects, such as facial recognition policies, data privacy policies, the 311 program and the implementation of the Office for Community Technology's Digital Equity Action Plan. The goal is that this proposal will help inform an inclusive comprehensive technology policy framework for the City in future fiscal years.

Specifically, the bureau expects that the community consultants will do the following:

- Work with City staff to identify priorities, goals, and questions related to Smart City PDX and Digital Equity Action Plan policies, projects, and priorities.
- Facilitate and lead team meetings, including creating agendas with City staff.
- Lead and create break out groups on specific topics that occur throughout the project.
- Advise on workgroup structural changes needed and help expand the workgroup membership.

CBO notes the importance of co-creating an inclusive Citywide technology space with frontline communities and compensating community members for their time and expertise. This request aligns with the City’s equity goals, particularly as it relates to digital justice. In general, this approach is well planned and is based on best recommended practices in engagement and qualitative feedback from community members. However, given the current economic impacts resulting from COVID-19, CBO does not feel it rises to the level of urgency to be funded with extremely limited General Fund resources this fiscal year. Under the Federal American Rescue Plan’s current draft language, this request would likely be eligible for future federal stimulus funding due to its connection to Digital Divide efforts. The rules and distribution for this funding is anticipated to be finalized this Spring. Council could consider allocating American Rescue Plan resources towards this request once the rules and funding are finalized.

The Smart City PDX program is funded by a mix of resources including ongoing General Fund resources, grant resources, and interagency agreements from other City bureaus. The FY 2019-20 ECA pilot was funded via BPS salary savings and totaled approximately $50,000. If this program model remains a priority in future fiscal years, BPS could seek to prioritize it within its existing resources as it did with the pilot project.

CBO notes that the community consultant model could create expectations among community members who partake in one of the City’s numerous advisory bodies that are not compensated for their time and expertise. It is CBO’s understanding that there has not been a Citywide policy determination on community member compensation yet.\(^7\) Although community members would

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\(^7\) A budget note included in the FY 2019-20 Budget directed the Office of Community & Civic Life, Office of Equity and Human Rights, Bureau of Human Resources, and City Attorney’s Office to conduct analysis of current practices and policies for providing stipends to volunteer members of City advisory bodies.
be hired as subconsultants in this project, not volunteers, CBO notes there may be an opportunity to determine a Citywide approach to the community consultant model, including the viability of funding stability for these efforts, before making further investments with limited resources. CBO also notes that there are a significant number of requests related to the City’s technology and digital equity efforts including three General Fund requests in the Office for Community Technology totaling $843,000 for a Community Broadband Planner, Community Cybersecurity and Protection Training, and the creation of a Digital Inclusion Fund, and $350,000 in Recreation Cannabis Tax funds from Prosper Portland for Small Business Digital Divide and Ecommerce efforts. Regardless of if new resources are allocated to this effort, CBO recommends that City Council work with relevant bureaus to determine a framework for Citywide technology policy development and implementation, including desired level of community engagement and which bureaus should be responsible for coordination and funding.

**CBO Recommendation: $0 one-time**
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