

RESOLUTION No. 3 7 3 6 4 As Amended

Direct the Bureau of Emergency Management, Bureau of Development Services, and Prosper Portland to develop Unreinforced Masonry Building Mandatory Retrofit Implementation Steps and return to Council for adoption within one year (Resolution)

WHEREAS, the City of Portland faces a significant risk from a catastrophic earthquake, from the Cascadia Subduction Zone and from smaller faults beneath the city; and

WHEREAS, unreinforced masonry (URM) buildings are highly vulnerable to earthquake damage, including building collapse and loss of life; and

WHEREAS, there are more than 1,600 known URM buildings in the City of Portland; and

WHEREAS, the Portland City Council directed the Bureau of Emergency Management, Bureau of Development Services, and Prosper Portland to consult with members of the interested public on the issue of URM buildings, and to devise strategies to reduce life safety risks; and

WHEREAS, a series of volunteer committees met from December 2014 to November 2017 to consider this issue; and

WHEREAS, the members of the committees included people with diverse interests and expertise, including building owners, property managers, engineers, architects, historic preservation advocates, affordable housing providers, commercial developers, churches, and schools; and

WHEREAS, the committees reviewed an inventory of URM buildings and a cost-benefit analysis of seismic retrofitting; and

WHEREAS, the Policy committee hosted three public meetings and informed property owners and residents of public meetings, which more than 200 people attended; and

WHEREAS, the committee also solicited and considered input from the interested public at their meetings and online; and

WHEREAS, seismic retrofits to achieve collapse prevention or a higher standard are desirable from the standpoint of public safety; and

WHEREAS, the majority of the URM Building Policy Committee supported mandatory seismic retrofitting standards of many URM buildings to a risk reduction standard less than collapse prevention, to increase public safety in a cost-effective way; and

WHEREAS, the proposed mandatory retrofitting of URM buildings will still present a hardship to many property owners; and

WHEREAS, the City has the authority to implement a limited property tax exemption to provide financial support to property owners; and

WHEREAS, URM buildings generally cannot be identified from the exterior and the proposed retrofitting standards will not achieve a collapse prevention standard for most URM buildings; and

WHEREAS, building occupants may benefit from knowing when they enter or occupy a URM building; and

WHEREAS, the City of Portland is experiencing a housing crisis, and therefore has an interest in ensuring that all options to preserve affordability have been explored, especially in URM buildings where public dollars have been invested to guarantee long-term affordable housing;

NOW THEREFORE BE IT RESOLVED that the City Council directs City staff to develop code language for the adoption of a mandatory seismic retrofit program for Class 1 and Class 2 URM buildings as described in the Unreinforced Masonry Policy Committee Final Report and return to Council for adoption within a year; and

BE IT FURTHER RESOLVED that City Council directs staff to develop code language to strengthen triggers in the existing code related to seismic retrofitting of URM buildings, and to require mandatory retrofits of Class 3 and Class 4 URM buildings as described in the Unreinforced Masonry Policy Committee Final Report, except not including wall-floor ties; and

BE IT FURTHER RESOLVED that Class 3 and Class 4 building owners shall have twenty years to perform the described retrofits; and

BE IT FURTHER RESOLVED that the City Council directs City staff from the Bureau of Development Services, Prosper Portland, and Bureau of Emergency Management, to formulate a working group comprised of URM building owners, URM building tenants, and other subject matter experts, charged with further evaluating reasonable seismic retrofit requirements, support, incentives, and timelines, for Class 3 and Class 4 URM buildings, and return to Council within a year to report on their findings. This includes identifying specific strategies to achieve wall-floor ties including incentives, financing options, tax strategies, and hardship options. This also includes an evaluation of the impacts on insurances rates for seismically retrofitted buildings, including wall-floor ties; and

BE IT FURTHER RESOLVED that the City Council directs City staff to convene a working group to develop recommendations for standards, financing options, and timelines for a mandatory seismic retrofit program for Class 3 and Class 4 URM buildings. The working group shall include people with financing, insurance and actuarial experience. The working group shall present its findings, including both majority and minority reports as appropriate, at a City Council work session within one year of the first working group meeting, after which time Council shall hold a hearing to direct further Code development; and

BE IT FURTHER RESOLVED that City Council directs City staff to convene a working group comprised of representatives of nonprofits to develop recommendations for standards, financing options, and timelines for a mandatory seismic retrofit program for nonprofits, including but not limited to religious nonprofits and educational nonprofits; and

BE IT FURTHER RESOLVED that nonprofit institutions are exempt from all new mandatory retrofits until this working group presents recommendations to City Council. At which time, City Council will reconvene to direct further code development specific to nonprofit institutions. Nonprofit institutions are not exempt from current city code; and

BE IT FURTHER RESOLVED that these working groups shall be subject to the boards and commissions reforms adopted on November 8, 2017, via Resolution No. 37328, including mandatory conflict of interest disclosure; and

BE IT FURTHER RESOLVED that the City Council directs City staff to develop a property tax exemption program for URM building owners and return to Council for adoption within a year; and

BE IT FURTHER RESOLVED that the City Council directs City staff to develop a proposal to capitalize and administer a pool of funds to support the retrofitting of Portland URM buildings through loan subsidies or similar mechanisms; and

BE IT FURTHER RESOLVED that the City Council directs Prosper Portland and the Bureau of Development Services to assess additional resource needs, if any, in order to carry out the retrofit program and assist URM building owners in implementing the retrofits; and

BE IT FURTHER RESOLVED that the City Council directs all City bureaus that own unreinforced masonry buildings to develop budget requests in order to assess buildings' seismic deficiencies and estimate costs to retrofit; and

BE IT FURTHER RESOLVED that the Office of Management and Finance in collaboration with the City Budget Office will develop a financial plan within a year to bring all City-owned Class 1 and Class 2 unreinforced masonry buildings into compliance with the adopted mandatory seismic retrofitting standards based on the assessed costs to retrofit; and

BE IT FURTHER RESOLVED that the City Council directs the Bureau of Emergency Management to submit items to the City's 2019 legislative agenda to increase the State of Oregon's financial support for URM retrofitting; and

BE IT FURTHER RESOLVED that City Council directs City Staff to develop a placarding ordinance, with an effective date of March 1st, 2019 and enforced by Portland Fire and Rescue with an appeal process administered by the Bureau of Development Services, for all URM buildings that are not retrofitted to a level expected

to prevent collapse in an earthquake and that placard shall be no smaller than 8 by 10 inches and shall state clearly in a conspicuous place at the entrance of the building printed in not less than 30-point bold type: "This is an unreinforced masonry building. Unreinforced masonry buildings may be unsafe in the event of a major earthquake.", and return to Council for adoption within 3 months; and

BE IT FURTHER RESOLVED that City Council directs City staff to develop an ordinance, with an effective date of March 1st, 2019, for Portland URM building owners to incorporate into their rental agreements that states: "This building, which you are renting or leasing, is an unreinforced masonry building. Unreinforced masonry buildings have proven to be unsafe in the event of an earthquake.", and return to Council for adoption within 3 months; and

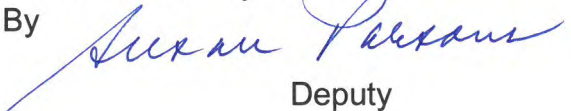
BE IT FURTHER RESOLVED that this is binding city policy.

Adopted by the Council: JUN 13 2018

Mayor Ted Wheeler
 Commissioner Chloe Eudaly
 Prepared by: Jonna Papaefthimiou, PBEM
 Date Prepared: May 9, 2018

Mary Hull Caballero
 Auditor of the City of Portland

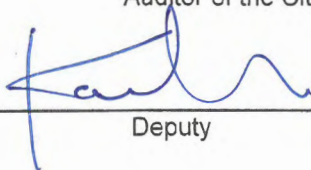
By



Deputy

Agenda No.
RESOLUTION NO. 37364 As Amended
 Title

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<p align="center">INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler and Commissioner Chloe Eudaly</p>	CLERK USE: DATE FILED <u>MAY 01 2018</u>
<p align="center">COMMISSIONER APPROVAL</p>	Mary Hull Caballero Auditor of the City of Portland  By: _____ Deputy
Mayor—Finance & Administration – Wheeler <i>WOD</i>	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Eudaly <i>CE</i>	ACTION TAKEN: MAY 09 2018 CONTINUED TO JUN 13 2018 10:15am <i>Time Certain</i>
<p align="center">BUREAU APPROVAL</p>	
Bureau of Emergency Management Interim Director Courtney Patterson <i>CAP</i>	
Bureau of Development Services Director Rebecca Esau <i>RE</i>	
Prepared by: Jonna Papaefthimiou Date Prepared: 4/26/18	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan	
Council Meeting Date: 5/9/2018, 3:00 TC	

AGENDA
TIME CERTAIN <input checked="" type="checkbox"/> Start time: 3:00 Total amount of time needed: 3 hours (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	