

<p style="text-align: center;">PORTLAND CITY COUNCIL AGENDA City Hall - 1221 SW Fourth Avenue <u>WEDNESDAY, 9:30 AM, SEPTEMBER 7, 2016</u></p>	<p style="text-align: center;">Disposition:</p>
<p style="text-align: center;">TIMES CERTAIN</p> <p>*995 TIME CERTAIN: 9:45 AM – Accept a grant in the amount of \$5,267,000 from the Oregon Department of Transportation and authorize an Intergovernmental Agreement for the East Portland Access to Employment and Education project (Ordinance introduced by Commissioner Novick) 20 minutes requested for items 995-996</p>	<p>To accept the \$5.3 million grant, PBOT must commit at least \$602,831 in matching funds to meet the federal requirement for a 10.27% local match. The bureau is using General Transportation Revenues to meet the match, and the funds are included in the bureau’s FY 2016-17 Adopted Budget.</p>
<p>996 Authorize grant application to People for Bikes up to \$800,000 for outreach and education associated with transportation infrastructure projects (Ordinance introduced by Commissioner Novick)</p>	<p>No fiscal impact to apply for the grant. The grant is for a three-year period, and no local match is required.</p>
<p style="text-align: center;">CONSENT AGENDA – NO DISCUSSION</p> <p style="text-align: center;">Mayor Charlie Hales</p> <p style="text-align: center;">Office of Management and Finance</p> <p>997 Adopt Administrative Rule ADM 10.01 Visual Markings for City Vehicles (Resolution)</p>	<p>Adoption of the policy will not have any direct financial impact on the City. New decals will be attached as vehicles and equipment are replaced or added.</p>
<p>*998 Update Procurement Code to conform to new state law that delegates broader authority to the City to protect the integrity of its social equity contracting programs (Ordinance; amend Code Chapters 5.33 and 5.34)</p>	<p>No immediate fiscal impact. The City may recover liquidated damages, pursuant to this change. These would fund the Subcontractor Equity Program.</p>

<p>999 Extend term of franchise granted to LCP Oregon Holdings, LLC to maintain a pipeline system within City streets (Ordinance; amend Ordinance No. 180378)</p>	<p>This ordinance extends an existing franchise agreement through October 31st, 2017 with no changes to terms. The existing agreement is set to expire October 14th, 2016; the extension will ensure adequate time to negotiate a renewal franchise agreement.</p>
<p style="text-align: center;">Commissioner Dan Saltzman Portland Housing Bureau</p> <p>1000 Approve and terminate limited tax exemptions for properties under the Homebuyer Opportunity Limited Tax Exemption Program (Resolution)</p>	<p>The approval of the proposed new limited tax exemptions will reduce City revenues by an estimated \$44,240 over ten years and provide \$5,250 in current year revenues to PHB for application costs. The proposed termination of limited tax exemptions will provide an estimated \$12,008 in annual City property tax revenue.</p>
<p style="text-align: center;">Commissioner Amanda Fritz Office of Neighborhood Involvement</p> <p>*1001 Authorize grant agreement of \$10,000 with East Portland Neighbors, Inc. to provide liability insurance coverage for neighborhood association and community activities in East Portland (Ordinance)</p>	<p>\$10,000 in General Fund support is included in the Office of Neighborhood Involvement's FY 2016-17 budget.</p>
<p style="text-align: center;">REGULAR AGENDA</p> <p style="text-align: center;">Mayor Charlie Hales</p> <p>S-1002 Extend the housing emergency declared by Ordinance 187371 to address increased homelessness, identify Council powers, specify one year duration, continue efforts to address housing affordability, and waive portions of the zoning code (Second Reading Agenda 989)</p>	<p>See below.</p>
<p style="text-align: center;">Office of Management and Finance</p>	

<p>1003 Accept bid of Iron Horse Excavation, LLC dba Oxbow Construction for the Cured in Place Pipe Southeast Sewer Rehabilitation Project for \$2,882,314 (Procurement Report – Bid No. 00000331)</p>	<p>The bid is \$622,939 (or 27.5% over the engineer’s estimate that came before City Council on May 4, 2016). The bureau is currently performing an analysis of the drivers of this difference.</p>	
<p>1004 Expand the authority of the Risk Manager and designees to serve as agents of the City Attorney to investigate and settle tort claims and clarify the scope of fair and moral claims for which the Risk Manager is authorized to investigate and settle (Ordinance; amend Code Section 3.15.020 G)</p>	<p>No direct fiscal impact. More effective defense against tort claims and lawsuits should result in some avoided costs.</p>	
<p style="text-align: center;">Commissioner Dan Saltzman Portland Housing Bureau</p> <p>*1005 Expand and clarify eligibility for the System Development Charge Exemption Program and Construction Excise Tax Exemption for affordable housing developments (Ordinance; amend Code Chapter 6.08 and Section 30.01.095) 10 minutes requested</p>		<p>If approved, mass shelters (as defined in the ordinance) will be exempted from the Construction Excise Tax. The cost to the City of this exemption would take the form of foregone revenue and be equivalent to 1% of the permit valuation of the construction of a mass shelter.</p>
<p style="text-align: center;">Commissioner Steve Novick Bureau of Transportation</p> <p>*1006 Accept and appropriate a grant from the Federal Highway Bridge Program in the amount of \$2,512,440 and authorize an Intergovernmental Agreement with the Oregon Department of Transportation to replace the SE 122nd Avenue Bridge over Johnson Creek (Ordinance)</p>		<p>The total project cost is estimated to be \$2,800,000, of which \$2,512,440 will be Federal Highway Bridge Program funding, and \$287,560 will be local City match funded by General Transportation Revenues, which is included in the bureau’s budget. The bureau’s level of confidence of the cost estimate for this project is low.</p>

<p style="text-align: center;">Commissioner Amanda Fritz Office of Neighborhood Involvement</p> <p>1007 Amend fee schedule for the Office of Neighborhood Involvement Noise Control Program (Second Reading Agenda 986)</p>	<p>See below.</p>
<p style="text-align: center;">Commissioner Nick Fish Water Bureau</p> <p>1008 Authorize an Intergovernmental Agreement in the amount of \$56,250 with the Multnomah County Health Department for program evaluation services of the Lead Hazard Reduction Program (Second Reading Agenda 988)</p>	<p>The not-to-exceed value of the Intergovernmental Agreement is \$56,250 and is intended to last no longer than two years. Funding for the Intergovernmental Agreement is available in the FY 2016-17 Budget and will be requested in the FY 2017-18 Budget.</p>
<p style="text-align: center;"><u>WEDNESDAY, 2:00 PM, SEPTEMBER 7, 2016</u></p> <p style="text-align: center;">DUE TO LACK OF AGENDA THERE WILL BE NO MEETING</p>	

THURSDAY, 2:00 PM, SEPTEMBER 8, 2016

<p>1009 TIME CERTAIN: 2:00 PM – Consider the proposal of Madeline Kovacs and the recommendation from the Hearings officer for approval to change the Comprehensive Plan Map designation from High Density Single Dwelling Residential to Townhouse Multi-Dwelling Residential and the Zoning Map designation from R5 to R3 for property at 4736-4752 NE Going St (Hearing introduced by Commissioner Saltzman; LU 16-133809 CP ZC) 1 hour requested for items 1009-1010</p>	<p>No immediate fiscal impact. Council's decision is appealable to the Oregon Land Use Board of Appeals (LUBA), which, were an appeal to occur, could impact the City financially.</p>
<p>1010 Amend the Comprehensive Plan Map designation and amend the Zoning Map for property at 4736-4752 NE Going St at the request of Madeline Kovacs (Ordinance introduced by Commissioner Saltzman; LU 16-133809 CP ZC)</p>	<p>No immediate fiscal impact. Council's decision is appealable to the Oregon Land Use Board of Appeals (LUBA), which, were an appeal to occur, could impact the City financially.</p>

S-1002 Extend the housing emergency declared by Ordinance 187371 to address increased homelessness, identify Council powers, specify one year duration, continue efforts to address housing affordability, and waive portions of the zoning code (Second Reading Agenda 989)

CBO Analysis: There is no direct immediate fiscal impact associated with this action. However, new programs and initiatives that are enabled by this code change may have significant City costs. In FY 2015-16, Council authorized \$1,265,000 in one-time General Fund resources for expenditures related to the Sears Shelter through the Fall Supplemental Budget; the operation of the shelter was made possible by waiving zoning requirements under the declared State of Emergency. Citing the declared housing emergency, Council also authorized \$2,750,748 in one-time General Fund resources for various property purchases, shelter costs, and other programmatic expenses in March 2016 ([Ordinance 187629](#)).

1007 Amend fee schedule for the Office of Neighborhood Involvement Noise Control Program (Second Reading Agenda 986)

CBO Analysis: If program revenues follow the five-year average, this 15% fee increase would yield \$23,474 to pay for Noise program expenses. However, program revenues have increased in recent years; if program revenues follow an average from the past two-years of estimated receipts, this fee increase would yield \$29,866 for program expenses.

The City's binding financial policy on cost recovery states that "City services that benefit a specific user and whose quantity, quality, and/or number of units may be specified should be paid for by fees and charges."¹ In the FY 2016-17 budget, approximately 35% of the Noise program is funded by service charges and fees (\$172,000), and 65% of the program is funded by a General Fund subsidy (\$321,779). Of the General fund subsidy, \$43,000 is one-time only support for administrative staffing in the current year budget. Thus, the estimated revenues from the proposed fee increase will not fully replace the loss of the one-time General Fund support in the FY 2017-18 budget.

¹ FIN-2.06 – Revenue. *City of Portland Financial Management Policies*. <https://www.portlandoregon.gov/citycode/article/200836>