

<p align="center"><b>PORTLAND CITY COUNCIL AGENDA</b>  <b>City Hall - 1221 SW Fourth Avenue</b>  <b><u>WEDNESDAY, 9:30 AM, NOVEMBER 16, 2016</u></b></p> <p align="center"><b>COMMUNICATIONS</b></p>	<p align="center"><b>Disposition:</b></p>
<p align="center"><b>TIMES CERTAIN</b></p> <p><b>1265 TIME CERTAIN: 9:45 AM</b> – Accept findings of the South Portal Partnership Plan Project pertaining to proposed changes to roadway alignments of SW Bond Ave, SW Moody Ave, SW Hamilton St, SW Hamilton Ct, SW Lowell St, and SW Thomas St, and direct implementation of a plan to fund, design and construct remaining South Waterfront street connections (Resolution introduced by Commissioner Novick) 1 hour requested</p>	<p align="center">See below</p>
<p align="center"><b>CONSENT AGENDA – NO DISCUSSION</b></p> <p align="center"><b>Mayor Charlie Hales</b></p> <p align="center"><b>Bureau of Police</b></p> <p><b>1266</b> Ratify an amendment to the collective bargaining agreement between the City and the Portland Police Commanding Officers Association to make PPCOA Labor Agreement Article 33 consistent with Human Resources Administrative Rule 8.03 (Ordinance)</p>	<p align="center">No fiscal impact.</p>
<p><b>*1267</b> Authorize an Intergovernmental Agreement with the Multnomah County District Attorney to partially fund the cost of employing three full-time equivalent District Attorney investigators not to exceed \$265,405 (Ordinance)</p>	<p>The bureau will use existing salary savings from current year vacancies for this contract.</p>
<p><b>1268</b> Amend an Intergovernmental Agreement with Multnomah County for the Sex Buyers Accountability and Diversion Program (Second Reading 1233; amend Contract No. 30002122)</p>	<p>No fiscal impact. Funding for this contract is within the bureau’s current appropriation.</p>
<p align="center"><b>Fire &amp; Police Disability and Retirement</b></p>	

<p><b>*1269</b> Amend the Fire and Police Disability, Retirement and Death Benefit Plan in order to comply with an arbitration decision regarding final pay calculation for members of Portland Firefighters Association and Portland Police Commanding Officers Association (Ordinance)</p>	<p>There is a one-time retroactive payment of \$86,516 in the current fiscal year, and monthly pension payments will increase by \$9,465. Previous actuarial analysis estimates the increase in costs for PFA and PPCOA members' pension benefits to range between \$16 million to \$23 million over the life of the plan. The FPDR property tax levy will be increased in order to pay the higher pension amounts in this agreement.</p>
<p><b>Office of Management and Finance</b></p>	
<p><b>*1270</b> Pay claim of Randall Cummings in the sum of \$6,554 involving the Portland Police Bureau (Ordinance)</p>	<p>\$6,554, funded in the Insurance and Claims Operating Fund.</p>
<p><b>*1271</b> Authorize leasing of commercial office space at non-City owned buildings to temporarily relocate business operations during the Portland Building Reconstruction project (Ordinance)</p>	<p>There is no specific cost associated with this ordinance. However, it will authorize OMF to enter temporary office leases to support 1,300 employees without additional City Council action. Taking this action is intended to reduce the risk of losing available space and thus impacting project timelines and costs. The lease costs associated with this authorization will be funded through the \$195 million project budget.</p>
<p><b>*1272</b> Authorize a lease extension with Oregon Pacific Investment &amp; Development Company for the Bureau of Fire and Police Disability and Retirement office space at 1800 SW First Ave, Suite 450, commonly known as the Harrison Square Building through October 31, 2020 for approximately \$205,000 annually (Ordinance)</p>	<p>There is no fiscal impact. The current lease will increase by approximately 3% and existing resources are available in the bureau's operating budget.</p>
<p><b>1273</b> Extend term of a franchise granted to MCI Metro Access Transmission Services, Inc. to build and operate telecommunication facilities within City streets (Second Reading Agenda 1238; amend Ordinance No. 169230)</p>	<p>No marginal fiscal impact. The City will continue to receive franchise fees under this agreement.</p>

<p><b>1274</b> Extend term of a franchise granted to Electric Lightwave, Inc. to build and operate telecommunication facilities within City streets (Second Reading Agenda 1239; amend Ordinance No. 170283)</p>	<p>No marginal fiscal impact. The City will continue to receive franchise fees under this agreement.</p>
<p><b>1275</b> Extend term of a franchise granted to McLeodUSA Telecommunications Services, Inc. to build and operate telecommunication facilities within City streets (Second Reading 1240; amend Ordinance No. 175061)</p>	<p>No marginal fiscal impact. The City will continue to receive franchise fees under this agreement.</p>
<p><b>1276</b> Extend term of a franchise granted to XO Communications Services, LLC to build and operate telecommunications facilities within City streets (Second Reading Agenda 1241; amend Ordinance No. 175062)</p>	<p>No marginal fiscal impact. The City will continue to receive franchise fees under this agreement.</p>
<p style="text-align: center;"><b>Commissioner Steve Novick</b> <b>Bureau of Transportation</b></p> <p><b>*1277</b> Authorize the Bureau of Transportation to execute a temporary easement with Oregon Health Science University as part of the SW Bond Avenue Project (Ordinance)</p>	<p>There is no direct cost required to acquire the easement from OHSU, other than City staff labor to negotiate and prepare the easement documentation which is charged to the project. The project is funded by the Portland Development Commission.</p>
<p><b>*1278</b> Authorize an Intergovernmental Agreement between the Bureau of Transportation and TriMet for the review and inspection of proposed improvements at the SW Bond Ave and SW Porter St intersection (Ordinance)</p>	<p>This IGA authorizes a maximum compensation to TriMet of \$100,000. This amount is already included in the budget of the SW Bond Avenue Extension Phase 1 project, which is funded by North Macadam Urban Renewal Area (URA) funds, Citywide Transportation System Development Charges (TSDCs) and North Macadam Overlay TSDCs. The total project budget for SW Bond Avenue Extension Phase 1 is approximately \$9.5 million.</p>
<p style="text-align: center;"><b>Commissioner Nick Fish</b> <b>Bureau of Environmental Services</b></p>	

<p><b>1279</b> Authorize the Bureau of Environmental Services to execute an easement with TriMet as part of the Portland to Milwaukie Light Rail: SE Powell Boulevard/16th Avenue Storm Sewer Project No. E10060 (Ordinance)</p>	<p>The cost of the easement is \$1, funded in the Sewer System Operating Fund.</p>
<p><b>1280</b> Authorize an Intergovernmental Agreement with Home Forward to allow the Percent for Green Program to fund the construction of a green street facility as part of Home Forward's construction project at St. Francis Apartments at SE 11<sup>th</sup> Ave., SE 12<sup>th</sup> Ave., SE Stark St. in the amount of \$113,936 (Second Reading Agenda 1243)</p>	<p>This project budgeted in the Percent for Green program. Total IGA amount is \$113,936. BES will maintain the stormwater facility after the two-year establishment period.</p>
<p style="text-align: center;"><b>REGULAR AGENDA</b></p> <p style="text-align: center;"><b>Mayor Charlie Hales</b></p> <p style="text-align: center;"><b>Bureau of Planning &amp; Sustainability</b></p> <p><b>1281</b> Restrict bulk fossil fuel terminals (Previous Agenda 1259; amend Title 33, Planning and Zoning) 1 hour requested</p> <p><b>Estimated start time 10:45.</b> Testimony from Nov 10 will be continued and Council will consider amendments. Final vote will be Dec 8.</p>	

<p style="text-align: center;"><b>Commissioner Steve Novick</b> <b>Bureau of Emergency Management</b></p> <p><b>*1282</b> Authorize an Intergovernmental Agreement with eligible parties for the Sharing of Emergency Operations Center Personnel within the Greater Portland Metropolitan Region when personnel are unable to get to their normal reporting location (Ordinance)</p>	<p>No fiscal impact.</p>
<p style="text-align: center;"><b>Bureau of Transportation</b></p> <p><b>1283</b> Authorize the Bureau of Transportation to allocate \$500,000 to the Portland Parks Foundation for construction of the Footbridge Over Burnside (Ordinance)</p>	<p>The estimated total cost of the project is \$2.5 million. The Portland Parks Foundation has raised \$1.7 million in private donations to leverage the contribution from PBOT. Coming from General Transportation Revenues appropriated in the FY 2015-16 budget, the PBOT funds are intended to be last in funds and will only be transferred to the Portland Parks Foundation when there is clear demonstration that adequate funds are available to proceed with the project.</p>
<p><b>1284</b> Make administrative changes to Motor Vehicle Fuel Tax Code for more efficient implementation of the Street Repair and Traffic Safety Program (Second Reading Agenda 1254; amend Code Chapter 17.105)</p>	<p>See below.</p>
<p style="text-align: center;"><b>Commissioner Amanda Fritz</b> <b>Portland Parks &amp; Recreation</b></p> <p><b>1285</b> Amend provisions relating to possession of marijuana in parks to conform to State law (Ordinance; amend Code Section 20.12.040) 10 minutes requested</p>	<p>No fiscal impact.</p>

**NOVEMBER 16-17, 2016**

<p>*1286 Authorize a competitive solicitation and contract with the lowest responsive and responsible bidder for construction of the Colonel Summers Park Splash Pad and Portland Loo Installation Project (Ordinance)</p>	<p>The estimated cost of the construction contract is \$576,242 and is medium confidence. This project is included in the bureau's FY 2016-17 Adopted Budget, and the project will be funded with the 2014 Parks Replacement Bond and system development charge revenues.</p>
<p>*1287 Amend contract with DAO Architecture, LLC in the amount of \$3,500 to complete work on the Colonel Summers Park gate design (Ordinance; amend Contract No. 30004821)</p>	<p>This initial contract was for \$26,665; following this amendment, the revised contract amount will be \$36,275. This project is funded with system development charge revenues.</p>
<p>*1288 Designate and assign the Mt. Tabor Annex from Portland Parks &amp; Recreation to the Portland Housing Bureau for development of affordable housing and transfer \$1,200,000 to Parks Memorial Fund (Ordinance)</p>	<p>See Below.</p>

<p>Commissioner Nick Fish Water Bureau</p> <p>1289 Authorize a contract and provide payment for the construction of the Sandy River Engineered Log Jam Placement Project at an estimated cost of \$2,300,000 (Ordinance)</p>	<p>The estimated contract cost is \$2.3 million and total project cost is estimated at \$3.0 million with a low confidence level. Funding for contract work is available in FY 2016-17 budget and will be requested in the FY 2017-18 budget. This action will not result in changes to forecasted water rates.</p>
<p><b><u>WEDNESDAY, 2:00 PM, NOVEMBER 16, 2016</u></b></p>	
<p><b>1290 TIME CERTAIN: 2:00 &amp; 6:00 PM</b> – Accept the Residential Infill Project: Concept Report to Council as general conceptual parameters for subsequent zoning code and zoning map amendments (Previous Agenda 1258; Resolution introduced by Mayor Hales) 2 hours requested</p>	<p>No fiscal impact to accept report. The bureau anticipates requesting \$100,000 in one-time General Fund resources in the FY 2016-17 Spring BMP for consultants to conduct public engagement and outreach to implement the report concepts, and an additional \$200,000 in one-time dollars to continue supporting two planning positions in FY 2017-18.</p>
<p><b>1291 TIME CERTAIN: 4:00 PM</b> – Diverse and Empowered Employees of Portland Leadership Development Program (Report introduced by Mayor Hales) 30 minutes requested</p>	<p>No fiscal impact.</p>
<p><b><u>WEDNESDAY, 6:00 PM, NOVEMBER 16, 2016</u></b></p> <p><b>This meeting is a continuation of Item 1290 Residential Infill Project Hearing</b> 2 hours requested</p>	
<p><i>~ continued next page ~</i></p>	

**THURSDAY, 2:00 PM, NOVEMBER 17, 2016**

**1292 TIME CERTAIN: 2:00 PM** – Amend the Official City Zoning Map, Planning and Zoning Code and Transportation System Plan to carry out Portland’s 2035 Comprehensive Plan; establish a new Community Involvement Program and Committee; amend related codes, the 2035 Comprehensive Plan and Plan Map to coordinate policies and programs (Previous Agenda 1152; Ordinance introduced by Mayor Hales; amend Code Titles 3, 17, 33 and Ordinance Nos. 165851, 177028, 187832) 3 hours requested

The purpose of this hearing is to receive testimony on possible Council amendments to this ordinance. Last month Council heard testimony on the Recommended Early Implementation package for the new 2035 Comprehensive Plan. Since that time, each Council office has identified potential amendments. Testimony on these amendments will be accepted through the end of the public hearing on November 17.

Amendments are posted on the Bureau of Planning and Sustainability website: <https://www.portlandoregon.gov/bps/71964>

- To testify in person: People interested in providing oral testimony may begin signing up one hour before the hearing but may only sign up for one person at a time. Testimony is limited to two minutes per person.
- Via the Map App: Testify on recommended Zoning Map changes by location.
- By Email: [cputestimony@portlandoregon.gov](mailto:cputestimony@portlandoregon.gov) with subject line “Comprehensive Plan Implementation”
- By U.S. Mail:  
Portland City Council  
1221 SW 4th Ave, Room 130  
Portland, OR 97204  
Attn: Comprehensive Plan Implementation

For more information: See Bureau of Planning and Sustainability website: [www.portlandoregon.gov/bps/pdxcomplan](http://www.portlandoregon.gov/bps/pdxcomplan)

The bureau estimates the need for one additional Community Involvement and Outreach Coordinator position related to the new Community Involvement Committee, which may have other administrative costs. There are additional potential fiscal impacts related to the cost of administering new zoning code provisions, as well as possible impacts to development activity, which may impact City costs and revenues.

**1265** Accept findings of the South Portal Partnership Plan Project pertaining to proposed changes to roadway alignments of SW Bond Ave, SW Moody Ave, SW Hamilton St, SW Hamilton Ct, SW Lowell St, and SW Thomas St, and direct implementation of a plan to fund, design and construct remaining South Waterfront street connections.

**CBO Analysis:** Council passage of this Resolution by 12/31/16 is required to retain the full extent of Metro funding of \$250,000 for this planning effort. Additional cost refinements will be made after Council passage of this Resolution, but the nominal cost change of the planned improvements is expected to range from 10% to 25% less even before considering ten years’ inflation. The planned improvements will add additional value to South Waterfront not considered during the last South Waterfront Street Plan amendment in 2009 by including a new water main in SW Moody Avenue south of SW Bancroft Street to improve life-safety in this area. The Local Improvement District Administrator’s level of confidence in the cost estimate for this project as of the filing date of this Ordinance is “Low” per Exhibit A of Resolution No. 36430 adopted by Council on July 26, 2006 given that the project scope is at the conceptual level pending design guidance from the Planning & Sustainability Commission subsequent to passage of this Resolution.



**1284** Make administrative changes to Motor Vehicle Fuel Tax Code for more efficient implementation of the Street Repair and Traffic Safety Program.

**CBO Analysis:** The changes are not expected to have an impact on the end payer of the tax, the timing of the tax, or the amount of revenue raised from the tax. Payers of the Oregon weight-mile tax are exempt from paying the ten-cents per gallon tax, and this legislation is expected make the exemption process more efficient. Currently, Oregon weight-mile tax holders first have to pay the tax and then apply for a refund. With these legislative changes, Oregon Weight-Mile tax payers will never have to pay the tax. These road users, instead pay for their share of road damage through the Heavy Vehicle Use Tax, a separate temporary tax which will be administered through the City's Revenue Division. As ODOT implements its software system for tax collections, PBOT anticipates a small additional charge to set up the system to accommodate this change. This charge is expected to be a one-time charge of around \$50,000. The total administrative collection charges are still expected to remain under 3% of the revenue collected. This is consistent with the original estimate for administrative costs.

**\*1288** Designate and assign the Mt. Tabor Annex from Portland Parks & Recreation to the Portland Housing Bureau for development of affordable housing and transfer \$1,200,000 to Parks Memorial Fund (Ordinance)

**CBO Analysis:** Parks identified the Tabor Annex property as surplus, and consistent with City protocol on the sale of surplus property, Parks solicited interest from all bureaus. Portland Housing Bureau is the only bureau that expressed interest and has offered the appraised value of \$1.2 million. Per Council's direction in the FY 2016-17 Fall Supplemental Budget, the sale proceeds be transferred to the Parks Memorial Fund and then be as the 25% match for FEMA grants for projects related to the December 2015 storm.

In the Fall Supplemental Budget, Council approved the appropriation of \$500,000 in loan repayment resources and \$700,000 in Housing Investment Fund resources in the Portland Housing Bureau's budget for the purchase of this property. The bureau intends to deconstruct the existing structure and redevelop the property as affordable housing. Costs and the funding source for deconstruction and redevelopment have not yet been identified.

**NOTE:** "Time Certain" indicates that an item will not be heard by Council **prior** to the time specified.

Communications items are three minutes each. Regular Agenda items taking longer than five minutes have the time estimate noted next to the item.

The \* indicates an emergency ordinance, which takes effect immediately if passed. Non-emergency ordinances require two readings and a 30-day waiting period before taking effect. Resolutions, reports, etc., adopted by Council are effective after adjournment.

The above summary is published by the City Auditor as provided by Section 2-113 of the Charter and Ordinance No. 130672.

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The meetings are also cablecast on CityNet 30, Portland Community Media television.

**Mary Hull Caballero**  
Auditor of the City of Portland

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Testimony is taken on Reports, Resolutions and Ordinances (first reading). To testify, sign up on a testimony sheet as you enter Council Chambers on the day of the meeting. Individuals have 3 minutes to testify, unless otherwise stated at the meeting. Testimony is not taken on Communications, Second Readings, Proclamations or Presentations in accordance with Code 3.02.040 F. and G.

Written testimony may be emailed or mailed to the Council Clerk prior to the meeting.

To schedule a Communication, email or mail your request to the Council Clerk. Include your name, address, phone number and a brief description of the subject you will be addressing. For full details, see Testimony Policies and procedures. <http://www.portlandonline.com/auditor/index.cfm?&a=63123&c=34447>

Clerk Email: [karla.moore-love@portlandoregon.gov](mailto:karla.moore-love@portlandoregon.gov)  
Council Clerk Testimony: [cctestimony@portlandoregon.gov](mailto:cctestimony@portlandoregon.gov)  
US Mail: Council Clerk, 1221 SW Fourth Ave., Room 130, Portland OR 97204

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Declaration Required by Lobbyists. Portland City Code 2.12.060 states: Prior to offering public testimony before City officials, at the beginning of any meetings or phone calls with City officials, or in emails and letters to City officials, a lobbyist must declare which lobbying entity he or she is authorized to represent for that communication.

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