

PORTLAND CITY COUNCIL AGENDA City Hall - 1221 SW Fourth Avenue <u>WEDNESDAY, 9:30 AM, OCTOBER 31, 2018</u>		Disposition:
TIMES CERTAIN		
1122	TIME CERTAIN: 9:45 AM – Proclaim October 31 st to be Age-Friendly Business Day (Proclamation introduced by Mayor Wheeler and Commissioner Fish) 15 minutes requested	No fiscal impact.
1123	TIME CERTAIN: 10:00 AM – Accept the Quarterly Technology Oversight Committee Report from the Chief Administrative Officer (Report introduced by Mayor Wheeler) 30 minutes requested	No fiscal impact.
CONSENT AGENDA – NO DISCUSSION		
Mayor Ted Wheeler		
Bureau of Planning & Sustainability		
*1124	Accept donation of goods and services from the Pearl District Neighborhood Association for the improvement of downtown public solid waste and recycling collection (Ordinance)	See below.

Office of Government Relations		
1125	Update Administrative Rule 3.01, Coordination of Government Relations to reflect the central coordination of State, Federal and Tribal Programs (Ordinance; amend ADM-3.01)	No fiscal impact
Commissioner Nick Fish		
Parks & Recreation		
*1126	Authorize the Director of Portland Parks and Recreation to execute the Sixth Amendment to the Thomas Cully Park development agreement to allow the transfer of Department of Environmental Quality and Multnomah County funds to Verde (Ordinance; amend Contract No. 30002864)	No General Fund impact. This ordinance authorizes an amendment of the Agreement between Parks and Verde which will recognize and allow Parks to transfer up to \$596,233 in new funding for the Thomas Cully Park development project to Verde (up to \$526,233 from DEQ and \$70,000 from Multnomah County).
Commissioner Dan Saltzman		
Portland Fire & Rescue		
1127	Amend fee schedule associated with Fire regulations to increase the annual portable propane fee from \$25 to \$35 (Second Reading Agenda 1105; amend Portland Policy Document FIR-12.01)	This ordinance is part of the bureau's revenue-generating requests in the FY 2018-19 Adopted Budget. The fee increase is projected to generate \$15,000 in additional resources and will offset a corresponding reduction in General Fund discretionary resources.
REGULAR AGENDA		
Mayor Ted Wheeler		
Bureau of Planning & Sustainability		
1128	Authorize compliance and enforcement measures for the Bureau of Planning and Sustainability Administrative Rules for Energy Efficient Building Requirements for Planned Development Bonuses (Ordinance; amend ENB-14.10) 15 minutes requested	See below.
Office of Management and Finance		
1129	Adopt a new Comprehensive Financial Management Policy FIN 2.18 Interfund Lending (Resolution) 10 minutes requested	No anticipated fiscal impact.

1130	Amend the Heavy Vehicle Use Tax Code to remove the four-year revenue target (Ordinance; amend Code Section 7.02.500) 10 minutes requested	See below.
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<p>Commissioner Chloe Eudaly</p> <p>Bureau of Transportation</p>		
<p>1131</p>	<p>Vacate a portion of an unnamed road east of NE 160th Ave and south of NE Halsey St subject to certain conditions and reservations (Second Reading Agenda 1111; VAC-10116)</p>	<p>Total cost to vacate proposed location is estimated at \$12,000. Vacating streets is a cost recovery program; the petitioner will cover the full cost of this ordinance, reimbursed to PBOT. This project is budgeted in PBOT's FY 2018-19 budget.</p>
<p>Commissioner Nick Fish</p> <p>Parks & Recreation</p>		
<p>*1132</p>	<p>Authorize a five-year grant agreement with Portland Parks Foundation for operational costs associated with fundraising and development services for Portland Parks & Recreation programs and projects for an amount not to exceed \$500,000 (Ordinance) 10 minutes requested</p>	<p>No fiscal impact related to recognizing this grant agreement. Parks' FY 2018-19 Adopted Budget includes \$100,000 in ongoing General Fund discretionary resources for the Portland Parks Foundation.</p>
<p>1133</p>	<p>Amend the Parks and Recreation System Development Charge Code to clarify language and improve program implementation (Ordinance; amend Code Chapter 17.13) 10 minutes requested</p>	<p>No fiscal impact.</p>
<p>City Auditor Mary Hull Caballero</p>		
<p>1134</p>	<p>Assess property for sidewalk repair for the Portland Bureau of Transportation (Second Reading Agenda 1113; Y1097)</p>	<p>Total project cost is \$175,591.83. This ordinance will increase Lien Revenues for PBOT's Transportation Operating Fund by this amount.</p>
<p><u>THURSDAY, 2:00 PM, NOVEMBER 01, 2018</u></p>		
<p>1135</p>	<p>TIME CERTAIN: 2:00 PM – Adopt the Southwest Corridor Light Rail Project Preferred Alternative and direct further actions (Previous Agenda 1062; Resolution introduced by Commissioner Eudaly) 3 hours requested</p>	<p>See below.</p>

1124 – Accept donation of goods and services from the Pearl District Neighborhood Association for the improvement of downtown public solid waste and recycling collection.

CBO Analysis:

This ordinance is for the City to accept donations of services and material goods from the Pearl District Neighborhood Association (PDNA), including new public trash cans to replace older styles, an increase the total number of cans, and professional services to support City programs to manage solid waste and recycling in public spaces. These donations are to improve the Pearl District's public solid waste and recycling collection and will supplement BPS' current efforts. BPS and PDNA signed an MOU for a five-year agreement for these donations, with an option for the parties to extend for one additional five year term. Identified donations value over \$140,000 for the first year of the agreement but are unknown after that. This agreement should have a minor positive financial long-term impact on the City's Solid Waste Management Fund by reducing City expenditures to repair, maintain and replace public garbage cans in the Pearl District. However, the agreement also results in a need for increased coordination between the PDNA and the City, including basic program management and evaluation (including technical analysis of can placement), ongoing maintenance, and legal/tax documentation of the agreement, among other potential needs, resulting in financial impacts for the City. Although BPS has identified that current staff will manage the coordination with the PDNA and acceptance of donations, there is uncertainty moving forward as the MOU is currently only for a five-year term, after which (unless extended) the maintenance and upkeep of the increased number of cans and related program tasks will be the responsibility of the City.

1128 – Authorize compliance and enforcement measures for the Bureau of Planning and Sustainability Administrative Rules for Energy Efficient Building Requirements for Planned Development Bonuses

CBO Analysis:

This ordinance approves BPS' Administrative Rules related to Energy Efficient Building Requirements for Planned Development Bonuses, authorizes the Director of BPS to periodically amend these rules, amends the Bureau of Development Services (BDS) Enforcement Fee and Penalty Schedule, and requires the enforcement of BPS' Administrative Rules by BDS. The rules require standards of energy use intensity (EUI) for these developments. A monthly penalty of \$.10 per square foot of total building floor area for noncompliance with City Code and these rules will be enforceable by the Bureau of Development Services as a zoning violation. The maximum amount of the penalty is a percentage of project valuation based on the extent of EUI Reduction.

This ordinance results in various potential fiscal impacts for the City. The provisions in this ordinance result in the levying of substantial penalties that, if a violation occurs, the City could collect, increasing City revenues. However, BPS notes that these are infrequent developments, and the enforcement mechanisms of this ordinance are created to encourage compliance. However, this ordinance may also result in increased staffing costs and workload for BDS regarding additional criteria for zoning code enforcements. The amount of this impact is unknown at this time. In addition, there may be increased legal work required from the City Attorney's Office if developments found to be non-compliant protest.

1130 – Amend the Heavy Vehicle Use Tax Code to remove the four-year revenue target.

CBO Analysis:

The net impact of this Ordinance is recognizing anticipated reduced revenue of \$2.0 million for the Heavy Vehicle Tax Program.

In 2016 the revenue target for the Heavy Vehicle Use Tax (HVT) was \$10.4 million over the planned four-year period: \$400,000 for program collection expenses and \$10.0 million for projects to be split – 56% for maintenance projects and 44% for safety projects that complement the voter approved Fixing Our Streets Program (FoS). The estimated tax rate was set prior to the implementation of the tax, and is now under review based off revised estimates from actual collections.

In order to reach \$10.4 million, the bureau estimates that the tax would need to increase to at least 4.5%, up from 2.8% (a 60% increase for rate payers) for the remaining two years. Without the proposed increase, the bureau estimates netting \$8.0 million for projects, and will hold off on one \$2.1 million maintenance project and various other freight safety projects for the time being to keep the program within planned revenues while maintaining a 56%/44% revenue expenditure split between maintenance and safety project expenditures.

1135 – Adopt the Southwest Corridor Light Rail Project Preferred Alternative and direct further actions.

CBO Analysis:

The SW Corridor Light Rail project would connect downtown Portland to the City of Tigard and Tualatin/Bridgeport through an expansion of TriMet's light rail along I-5 and Barbur Blvd. This Resolution does the following:

- Accepts the SW Corridor Light Rail project Preferred Alternative report and recommendations,
- Directs Portland Bureau of Transportation (PBOT) to work with Metro to prepare a Conceptual Design Report,
- Directs PBOT to lead the City's participation in TriMet's development and execution of an intergovernmental agreement (IGA) for City staff services for the Final Environmental Impact Statement (FEIS) and Light Rail project, and
- Directs PBOT to work with Metro, TriMet, project partners, and City Budget Office and Prosper Portland to develop a financial strategy for the City of Portland's contribution and to report back to Council on the recommended financial contribution of the City to the Project prior to finalizing any commitment by the City with the intent to make the City's commitment of local match in early 2020.

While there is no immediate fiscal impact from this Resolution, the preliminary total project cost estimate is \$2.8 billion, with the City's share estimated at \$80 million. PBOT notes that the Local Match Committee of Bureau Directors has met several times over the past year to identify possible funding sources. Based on these discussions, PBOT estimates it will contribute approximately \$20 million of PBOT System Development Charges revenues. Possible sources for the remaining amount could include: Urban renewal tax increment funds – estimated at \$0-24 million, City-owned land donation, and partnership projects related to stormwater; however, the bureau estimates that these funding sources will not be enough to cover the full cost of the City's share for the SW Corridor Light Rail Project. The City's commitment is required by early 2020.

The City has already contributed \$850,000 of General Fund resources to pay for City bureau staff involvement and payment to Metro for some of their work performed on this project.