

<p style="text-align: center;">PORTLAND CITY COUNCIL AGENDA City Hall - 1221 SW Fourth Avenue <u>WEDNESDAY, 9:30 AM, DECEMBER 5, 2018</u></p>		<p style="text-align: center;">Disposition:</p>
<p>TIMES CERTAIN</p>		
<p>1221</p>	<p>TIME CERTAIN: 9:45 AM – 2018 Steve Lowenstein Trust Award (Presentation introduced by Commissioner Fish) 30 minutes requested</p>	<p>No fiscal impact.</p>
<p>*1222</p>	<p>TIME CERTAIN: 10:15 AM – Approve findings to authorize an exemption to the competitive bidding requirements and authorize a competitive solicitation for the use of the alternative contracting method of Construction Manager/General Contractor for construction of the SW Capitol Highway: Multnomah Village – West Portland Transportation, Stormwater and Water Main project (Ordinance introduced by Mayor Wheeler) 45 minutes requested</p>	<p>Total project cost is an estimated \$26.0 million. Construction costs are an estimated \$18.0 million. This project will be requested in PBOT, BES, and the Water Bureau’s FY 2019-20 and FY 2020-21 budgets respectively. Resources include: \$3.3 million of Fixing Our Street funds, \$4.8 million from Transportation System development Charges, \$2.0 million from BES, and \$2.3 million from the Water Bureau.</p>

CONSENT AGENDA – NO DISCUSSION

Mayor Ted Wheeler

1223 Proclaim results of the Municipal Non-Partisan General Election on Measure 26-200: Amends Charter: limits candidate contributions, expenditures; campaign communications identify funders (Proclamation introduced by Mayor Wheeler)

This action proclaims the results of the General Election Measure 26-200. This measure passed, and Portland Charter will subsequently be amended to limit campaign contributions for the City's elected offices. There is no direct fiscal impact to this amendment, but the Charter-limited campaign contribution limits may drive higher interest in and utilization of the City's Open and Accountable Elections Program. That program, effective for election cycles after the November 2018 General Election, currently has ongoing annual funding of \$1,237,200.

1224 Proclaim results of the Municipal Non-Partisan General Election on Measure 26-201: Imposes surcharge on certain retailers; funds clean energy, job training (Proclamation introduced by Mayor Wheeler)

This action proclaims the results of General Election Measure 26-201. The measure passed, and City Code will subsequently be amended to require Portland retailers that meet certain criteria to pay a 1% surcharge on gross revenues made in Portland. The surcharge applies to retailers with over \$1 billion in total annual revenue and at least \$500,000 in annual revenue in Portland. Petitioners estimate revenue from the surcharge will be approximately \$30 million per year. The measure language limits administrative costs to 5% of revenues, excluding revenue collection, but administration and staffing costs are not yet known.

Bureau of Planning & Sustainability

*1225	Accept and appropriate a grant in the amount of \$10,000 from the Urban Sustainability Directors Network to finalize Portland's draft Climate Equity Implementation Guide (Ordinance)	<p>This ordinance authorizes the City to accept a \$10,000 grant award from the Urban Sustainability Directors Network to hire a human-centered design expert to finalize the City's draft Climate Equity Implementation Guide. The ordinance amends BPS' FY 2018-19 budget by \$10,000. There are no other direct fiscal impacts of this legislation as no City of Portland match is required. However, BPS is responsible for all administrative tasks related to the grant. Future fiscal impacts could result from the ongoing sustainability of the Climate Equity Implementation Guide, such as future production costs, but are not evident at this time. The bureau notes that existing staff resources will be used to deploy and implement the completed tool.</p>
1226	Authorize an Intergovernmental Agreement with Metro for a total amount of \$828,523 for the Annual Waste Reduction Program, the Recycle at Work Program and for the Business Food Waste Program (Ordinance)	See below.
Portland Housing Bureau		

<p>*1227</p>	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for The E located at 2515 SE 30th Ave (Ordinance)</p>	<p>This action would result in estimated foregone property tax revenues to the City totaling \$13,685 over ten years for 5 units affordable at or below 80% MFI. Total cost to all jurisdictions forgoing revenue is estimated at \$41,471. The estimated value of the tax exemption for the first year is \$4,503 all jurisdictions), which equals approximately \$901 per affordable unit per year of affordability. The City will still benefit from property taxes collected on the improved value of the land during the exemption period. The City will pay Multnomah County the \$4,250 application activation fee if the application moves forward.</p>
<p>*1228</p>	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for The River Apartments located at 3255 SE 17th Ave (Ordinance)</p>	<p>This action would result in estimated foregone property tax revenues to the City totaling \$7,678 over ten years for 3 units affordable at or below 60% MFI. Total cost to all jurisdictions forgoing revenue is estimated at \$23,267. The estimated value of the tax exemption for the first year is \$2,527(all jurisdictions), which equals approximately \$843 per affordable unit per year of affordability. The City will still benefit from property taxes collected on the improved value of the land during the exemption period. The City will pay Multnomah County the \$2,550 application activation fee if the application moves forward.</p>

***1229** Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Virk Villa Apartments located at 5020 SE Woodward St (Ordinance)

This action would result in estimated foregone property tax revenues to the City totaling \$22,219 over ten years for 5 units affordable at or below 80% MFI. Total cost to all jurisdictions forgoing revenue is estimated at \$67,332. The estimated value of the tax exemption for the first year is \$7,311 (all jurisdictions), which equals approximately \$1,462 per affordable unit per year of affordability. The City will still benefit from property taxes collected on the improved value of the land during the exemption period. The City will pay Multnomah County the \$4,250 application activation fee if the application moves forward.

Commissioner Chloe Eudaly

Bureau of Transportation

*1230	<p>Authorize an Intergovernmental Agreement with Metro and accept a grant in the amount of \$663,000 for the development of six active transportation projects (Ordinance)</p>	<p>This Ordinance authorizes an intergovernmental agreement (IGA) with Metro for \$663,000 and amends PBOT's current year fiscal budget (2018-19), increasing revenue to the Grants Fund (217) by \$663,000 and increasing bureau expenditures by \$442,000 for the year. The six projects include: \$150,000 for Connected Lents, \$150,000 for 148th Ave Safety & Access to Transit, and \$73,000 for I-84 Path Extension among others. This IGA covers the full project costs.</p>
*1231	<p>Authorize Intergovernmental Agreement for Right of Way Services with the Oregon Department of Transportation to define roles and responsibilities regarding the use of real property for construction of public improvements related to the Connected Cully Project (Ordinance)</p>	<p>Total project cost is \$3.4 million. This project is budgeted in the bureau's FY 2018-19 budget.</p>
*1232	<p>Amend contract with The Street Trust for the delivery of bicycle and pedestrian safety education and training for a total contract amount not to exceed \$483,717 (Ordinance; Contract No. 30006114)</p>	<p>Ordinance would approve a contract extension to September 30, 2019 and an increase of \$226,957 for a revised total contract, not-to-exceed amount of \$483,717. This contract increase is included in the bureau's FY 2018-19 budget.</p>

<p>*1233 Amend the Amended and Reinstated Intergovernmental Agreement with Multnomah County for funding of the Sellwood Bridge Project to better align City payments to the Project completion timeline (Ordinance; amend Contract No. 33000048)</p>	<p>No fiscal impact. This Ordinance amends the intergovernmental agreement with Multnomah County extending the term of the agreement through June 30, 2020 to align with anticipated project completion date. Financial amounts and contributions are not modified under this amendment.</p>
<p>1234 Amend application to Oregon Department of Transportation for a grant in the amount of \$6 million for the Safe Routes to School Competitive Infrastructure Grant Program (Ordinance)</p>	<p>Total project cost estimates for three Safe Routes to School (SRTS) projects has increased by \$2.5 million to a revised estimated total of \$7.6 million. This Ordinance revises the grant application based off revised project cost estimates. Pending a successful grant application, the Oregon Department of Transportation's revised estimated share is \$6.0 million, leveraging \$1.65 million of revised match from Fixing Our Street revenues set-aside for SRTS projects and Portland's Transportation System Plan (TSP) program funds. If grant is awarded to PBOT, the bureau would make necessary budget adjustments to account for grant award and project implementation.</p>

<p>1235 Authorize an Intergovernmental Agreement with Metro for participation in the Sidewalk Labs, Replica pilot test in an amount not to exceed \$152,433 (Ordinance)</p>	<p>This Ordinance authorizes PBOT to pilot test data collection from Sidewalk Labs, Republica as approved within the FY 2018-19 Fall budget monitoring process. PBOT has allocated \$152,433 from its General Transportation Revenue (GTR) for this project. Total pilot project cost for one year is \$457,300. Both Metro and TriMet are contributing equal amounts of \$152,433 towards the project.</p>
<p>1236 Authorize a contract with the lowest responsible bidder for the NE 148th St: NE Glisan St to NE Halsey St project (Ordinance)</p>	<p>Total project cost is \$1.5 million and will use allocated Fixing Our Street resources. Project will be budgeted in PBOT's FY 2019-20 budget.</p>
<p>1237 Clarify maintenance responsibilities for unimproved streets (Ordinance; amend Code Section 17.42.010)</p>	<p>This Ordinance clarifies code and does not have immediate fiscal impacts. PBOT created the Grade and Gravel Street Program in its FY 2018-19 budget, allocating \$1.0 million of General Transportation Revenue (GTR) to this program on an annual basis. The City currently has 50 miles of gravel roads. The program will cycle through road maintenance on a three-year cycle, as \$1.0 million maintains 15 miles of gravel roads.</p>
<p>Commissioner Nick Fish Parks & Recreation</p>	

1238

Authorize an Intergovernmental Agreement with Portland State University to provide population research related services for an amount not to exceed \$50,000 (Ordinance)

No fiscal impact.
PP&R was allocated \$500,000 in the FY 2018-19 Adopted Budget toward the development of the bureau's Long Range Vision Plan. PP&R budgeted \$25,000 for the demographic study, and additional funding is available within the project budget.

City Auditor Mary Hull Caballero		
1239	Certify abstract of votes cast, proclaim measures approved at the Municipal Non-Partisan General Election held in the City of Portland on November 6, 2018 (Report)	No fiscal impact
REGULAR AGENDA Morning		
Mayor Ted Wheeler		
1240	Repeal Code for Single-use Plastic Checkout Bags and Polystyrene Foam Food Containers and replace with Code Prohibitions and Restrictions on Single-use Plastic (Second Reading Agenda 1211; replace Code Chapter 17.103; repeal Code Sections 17.102.300-400)	See below.
Bureau of Planning & Sustainability		
1241	Update Solid Waste and Recycling Collection Code, add definitions and align terminology with Metro (Ordinance; amend Code Chapter 17.102) 15 minutes requested	There are no direct fiscal impacts resulting from the proposed updates to the Solid Waste and Recycling Collection Code. However, there could be indirect costs associated with the implementation and/or monitoring of the proposed changes for efficient fleet practices (17.102.050 Clean and Efficient Fleet Practices). In addition, garbage and recycling companies that provide collection services to residents and businesses in Portland will be affected by these amendments as they will be expected to invest in newer clean and efficient trucks.
Office of Management and Finance		
1242	Accept the proposal lump sum amount of \$3,756,000 from Record Steel Construction, Inc. for the design-build of the Columbia Boulevard Wastewater Treatment Plant Wash Water and Hypochlorite Piping Replacement Project (Procurement Report – RFP No. 00000791) 10 minutes requested	Funding for this project is budgeted in the bureau's FY 2018-19 adopted budget and five year capital improvement plan.

<p>1243</p>	<p>Accept bid of James W Fowler Co. for the Price Agreements for Urgent Rehabilitation of Sanitary and Storm Sewers Project for \$9,000,000 (Procurement Report – Bid No. 00000943)</p>	<p>Funding for this project is budgeted in the bureau’s FY 2018-19 adopted budget and five year capital improvement plan.</p>
<p>1244</p>	<p>Accept Procurement Report concerning signature authority increase pilot project (Procurement Report) 10 minutes requested for items 1244 and 1245</p>	<p>There is no fiscal impact to accepting this report.</p>
<p>*1245</p>	<p>Extend pilot program allowing increase in Chief Procurement Officer's signature authority for contracts that fall under City Code 5.33, 5.34, and 5.68 through March 31, 2019 (Ordinance; amend Ordinance No. 188527)</p>	<p>The Chief Procurement Officer's (CPO) signing authority was increased on a temporary basis in July 2017, allowing the CPO to authorize certain contracts up to \$1 million and \$500,000 which had previously required Council approval. This action extends the CPO’s increased authorization threshold through March 2019, at which point Council will determine whether to make these changes permanent. There are no major fiscal impacts to this ordinance, as contract costs will continue to be covered within contracting bureaus’ resources, but the CPO’s report indicates that the higher authorization threshold has led to time and operational efficiencies.</p>

Portland Housing Bureau		
*1246	Authorize conveyance of city-owned property located at 6431-6435 and 6445 NE Martin Luther King Jr Blvd to PCRI NE Housing 2 LLC and funding in an amount not to exceed \$5,700,000 to its affiliate, King Parks Apartments Limited Partnership, for the construction of a new affordable multifamily housing development located in the Interstate Corridor Urban Renewal Area (Ordinance) 20 minutes requested	Funding has been allocated for this purpose in the bureau's 2018-20 budget.
*1247	Authorize funding in an amount not to exceed \$12,977,742 to C.K. Henry Building Limited Partnership for the rehabilitation of an affordable multifamily housing development located in the Downtown Water Front Urban Renewal Area (Ordinance) 20 minutes requested	Funding has been allocated for this purpose in the bureau's 2018-20 budget.
Commissioner Chloe Eudaly Bureau of Transportation		
*1248	Amend contract with Just Bucket Excavating, Inc. in the amount of \$190,038 for the SE 50 th Ave – SE Division St to SE Hawthorne Blvd project to comply with ADA requirement, and to accelerate project completion (Ordinance; amend Contract No. 30006244) 15 minutes requested	Total revised project cost is \$1,624,066, a 25% increase from the original cost amount. This second amendment and increase will address ADA compliance and project expediency. This project is funded by Fixing Our Street (FOS) revenues and is currently budgeted in PBOT FY 2018-19 budget. The bureau will use FOS Contingency for the increased cost.
Commissioner Amanda Fritz Water Bureau		

<p>1249 Authorize a contract with the lowest responsible bidder and provide payment for the construction of the North Jantzen West of North Pavilion Avenue Water Main Improvement Project at an estimated cost of \$1,010,000 (Second Reading Agenda 1214)</p>	<p>The total construction cost is estimated at \$1,010,000. Funding for the Project is available in the FY 2018-19 budget and will be requested as part of FY 2019-20 budget. The total project cost is estimated at approximately \$1.4 million. Project design is greater than 90% complete, and the confidence level for the project is high. Replacement of the existing water mains, hydrants and services will not change the long term financial obligations to the City.</p>
<p>Commissioner Nick Fish</p>	
<p>Parks & Recreation</p>	
<p>*1250 Amend Grant Agreement with Portland Parks Foundation to transfer \$1,050,000 City funds for the Wildwood Trail Pedestrian Bridge (Ordinance; amend Contract No. 32001732) 15 minutes requested</p>	<p>This ordinance will authorize a grant agreement that transfers \$500,000 from PBOT, additional \$350,000 in Transportation System Development Charge revenue, and a \$200,000 grant from Metro (a total \$1,050,000) to the Portland Parks Foundation to facilitate the completion of the Wildwood Trail Pedestrian Bridge.</p>

WEDNESDAY, 2:00 PM, DECEMBER 05, 2018

REGULAR AGENDA
Afternoon
Mayor Ted Wheeler
Bureau of Police

***1251** Authorize a Memorandum of Agreement between the City and the Portland Police Association to amend the current collective bargaining agreement in effect between the City and the Portland Police Association to include the classification of Public Safety Support Specialist Classification as part of the Portland Police Association Collective Bargaining Agreement (Ordinance)
30 minutes requested

This MOU establishes the terms of amendments to the PPA agreement that address Public Safety Support Specialists (originally known as Community Service Officers). The MOU establishes that Public Safety Support Specialists will be non-sworn positions with an entry level hourly rate of \$23.95, and increasing approximately 4% a year for each of four step increases. Total funding for the "CSO" pilot was set at \$1,159,293 beginning in FY 2017-18, to support 12.0 Community Service Officer positions, 1.0 Police Lieutenant position, and 1.0 Program Manager, in addition to materials and services. Due to the difference between estimated hourly rates and the hourly rates established in this MOU, the Police Bureau received a \$210,176 CAL adjustment in the FY 2018-19 Fall BMP (increase beginning in FY 2019-20) in order to fully fund this program.

DECEMBER 05-06, 2018

<p>*1252</p>	<p>TIME CERTAIN: 3:00 PM – Authorize Intergovernmental Agreement with Multnomah County to transfer daily administrative functions of the Gateway Center for Domestic Violence Services from the City of Portland to Multnomah County, and to establish the financial structure that will allow both the City and the County to continue to contribute financially to the successful operation of the Gateway Center (Ordinance introduced by Mayor Wheeler and Commissioner Saltzman) 30 minutes requested</p>	<p>See below.</p>
<p>*1253</p>	<p>TIME CERTAIN: 3:30 PM – Authorize \$130,000 total in grant funds for the Constructing Civic Dialogues Grant Program in the Office of Community & Civic Life (Ordinance introduced by Commissioner Eudaly) 45 minutes requested</p>	<p>This Ordinance authorizes Civic Life to grant \$130,000 to five grant awardees as part of its neighborhood mediation grant program. Civic Life has budgeted these grants in its FY 2018-19 budget.</p>
<p><u>THURSDAY, 2:00 PM, DECEMBER 06, 2018</u></p>		
<p>1254</p>	<p>TIME CERTAIN: 2:00 PM – Dissolve the Socially Responsible Investments Committee (Resolution introduced by Mayor Wheeler) 1 hour requested for items 1254 and 1255</p>	<p>There is no direct fiscal impact to this action.</p>

<p>1255 Adopt City of Portland Investment Policy (Resolution introduced by Mayor Wheeler)</p>	<p>This resolution establishes the City's financial investment policies. The primary material change from current policy is the reintroduction of corporate indebtedness (commercial paper and corporate bonds) as permitted investments. These investments are limited to the 12 corporations outlined in Appendix A. Relative to the current policy, which does not allow for corporate investment, the City Treasurer estimates that this policy may generate an additional \$900,000 to \$1.5 million in resources across the City. The General Fund's share of investment earnings is typically in the range of 3-4% of the earnings distributed Citywide.</p>
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1126 - Authorize an Intergovernmental Agreement with Metro for a total amount of \$828,523 for the Annual Waste Reduction Program, the Recycle at Work Program and for the Business Food Waste Program

CBO Analysis: This ordinance accepts \$828,523 from Metro for various waste reduction programs, including the Metro Annual Waste Reduction Plan (\$325,405.20), Recycle at Work Program (\$405,163.89), and Business Food Waste Program (\$97,954.00). \$785,604 of this amount was appropriated in the FY 2018-19 Adopted Budget. The remaining funds of \$42,919.09 will be appropriated in Spring 2019 Supplemental Budget Process. There are no other direct fiscal impacts for this ordinance, as no City match is required for these funds and the bureau believes no positions will be created, eliminated or re-classified because of this legislation. Previously, the City had a Waste Reduction IGA with Metro for the duration of two years (FYs 2016-18). This IGA is only for one year (FY 2018-19), but Metro is reviewing their future disbursement plans.

1240 - Repeal Code for Single-use Plastic Checkout Bags and Polystyrene Foam Food Containers and replace with Code Prohibitions and Restrictions on Single-use Plastic

CBO Analysis: In line with the recent report from BPS regarding single-use plastic items, this ordinance repeals the City's current code for single-use plastic checkout bags and polystyrene foam food containers and replaces it with more expansive restrictions on single-use plastics, including the existing bans for plastic bags and foam containers, as well as restrictions on straws, utensils, and condiment packets. There are no direct fiscal impacts on the City from these changes. However, subsequent outreach and enforcement components will result in unknown financial costs for the City. The bureau expects to fund these activities with already existing bureau resources, but notes that if additional resources are needed, it will request funds during the Spring 2019 Supplemental Budget Process.

***1252 TIME CERTAIN: 3:00 PM** – Authorize Intergovernmental Agreement with Multnomah County to transfer daily administrative functions of the Gateway Center for Domestic Violence Services from the City of Portland to Multnomah County, and to establish the financial structure that will allow both the City and the County to continue to contribute financially to the successful operation of the Gateway Center (Ordinance introduced by Mayor Wheeler and Commissioner Saltzman) 30 minutes requested

CBO Analysis: This ordinance transfers daily administrative functions of the Gateway Center for Domestic Violence from the City of Portland's Office of the Commissioner of Public Affairs to Multnomah County. While the Gateway Center's administrative functions will be transferred to the County, the cost to the City will increase.

The currently proposed IGA includes the following financial impacts:

- Establishes a baseline annual City allocation of \$943,415, with annual inflationary increases with a 2% floor. This constitutes an increase of \$116,501 in ongoing resources above current allocation levels.
- Does not allow for appropriations below the established baseline over the term of the contract, regardless of economic conditions. However, should the City decide to appropriate less funding than the baseline allocation at any point, the contract would be terminated and the Center would return to the City.
- Allows the County to retain and carryover year-end unspent resources, which could reduce the City's available excess balance during the subsequent fiscal year.