

<p align="center">PORTLAND CITY COUNCIL AGENDA City Hall - 1221 SW Fourth Avenue WEDNESDAY, 9:30 AM, FEBRUARY 20, 2019</p>		<p align="center">Disposition:</p>
<p align="center">TIMES CERTAIN</p>		
<p>141</p>	<p>TIME CERTAIN: 9:45 AM – Accept funding and authorize Intergovernmental Agreement with Washington County for \$1 million for SW Multnomah/Garden Home intersection safety project (Ordinance introduced by Commissioner Eudaly) 35 minutes requested</p>	<p>The total project cost is estimated at \$4.5 million. This Ordinance accepts funding from Washington County for this project, which is limited to \$1.0 million. PBOT has secured is \$2.2 million. In the event this project is unable to secure additional funding , the scope would be adjusted to match available funding. This project is budgeted in PBOT’s five-year capital improvement plan.</p>
<p>142</p>	<p>TIME CERTAIN: 10:20 AM – Amend fee schedules for Land Use Services (Ordinance introduced by Mayor Wheeler) 20 minutes requested</p>	<p>According to the bureau’s requested budget, the proposed fee changes will generate an estimated \$700,000 annually in additional revenues, although this is dependent on demand for services. This additional revenue has been included in the bureau’s FY 2019-20 Requested Budget.</p>

*143

TIME CERTAIN: 10:40 AM – Transfer functions and staff from the Auditor Assessment, Finance and Foreclosure Division to the Bureau of Revenue of Financial Services' Revenue Division and designate the Revenue Division as the recorder for purposes of the City lien docket and financing local improvements (Ordinance introduced by Auditor Hull Caballero; amend various Code Sections and Administrative Rules) 20 minutes requested

There is limited fiscal impact associated with this transfer. The revenues and expenses that support this function are being directly transferred from the Auditor's Office to the Revenue Division. The Auditor's Office identified approximately \$30,000 in overhead costs that were previously supported by the funds being transferred. The impact statement, as filed, indicates there is a request to backfill these resources in FY 19-20 budget development, but further conversation with the Auditor's Office has confirmed this is not the case.

CONSENT AGENDA – NO DISCUSSION

Mayor Ted Wheeler

Office of Management and Finance

***144** Correct the salary grade of the nonrepresented classification of Occupational Health Specialist (Ordinance)

Changing the salary grade of this classification will increase the top of range for salary from \$126,318 to \$140,338. Additional costs may be incurred over time as a result of this action as employees in the classification have the opportunity to be paid more. As no new funds are being appropriated, any additional salary costs plus any salary-based benefit costs would need to be absorbed within the existing bureau budgets.

***145** Pay property damage claim of Main Street Development, Inc. in the sum of \$24,143 involving the Portland Bureau of Development Services (Ordinance)

\$24,143 from the Insurance & Claims Operating Fund.

Portland Housing Bureau

***146** Amend subrecipient contract with Housing Development Center, Inc. by \$54,100 for a total value of \$151,100 to support the Risk Mitigation Pool program (Ordinance; amend Contract No. 32001821)

Funding is available for this purpose in the bureau’s FY 2018-19 Housing Investment Fund budget.

Commissioner Chloe Eudaly

Bureau of Transportation

***147** Accept an Engineering Report on a proposed encroachment into the public right-of-way for a second subsurface tunnel under SW Meade St (Ordinance)

No immediate fiscal impact. The Report requires OHSU to enter into a lease with the City – PBOT for use of the subsurface space for the tunnel. This amounts to annual rent paid to the City of \$4,300 which will be increased by 15% every five years.

<p>*148 Authorize Development Fee Agreement with Fernhill Crossing, LLC to pay the City a fee of \$60,000 for transportation system improvements (Ordinance)</p>	<p>Total project cost is \$17.0 million for the NE 42nd Ave Bridge replacement project. This Ordinance allows PBOT to receive \$60,000 towards right of way improvements in conjunction with the bridge project. This Ordinance does not change the budget.</p>
<p>REGULAR AGENDA</p> <p>Mayor Ted Wheeler</p> <p>Office of Management and Finance</p>	
<p>149 Accept bid of Landis & Landis Construction, LLC for Sunnyside North Reconstruction & Green Streets ALD-05 for \$9,320,929 (Procurement Report – Bid No. 00001090) 10 minutes requested</p>	<p>The bureau's estimate for this project was \$9,900,000 (high confidence). Based on bids received, the bureau anticipates the construction contract cost to be \$9,320,929, which is \$579,071 less than the original estimate. Funding for this project is included in the bureau's FY 2018-19 revised and FY 2019-20 requested budgets.</p>
<p>150 Establish an interim compensation rate for the revised Tree Inspector classification and create a new represented classification of Tree Inspector, Senior and establish an interim compensation rate for this classification (Second Reading Agenda 127)</p>	<p>No fiscal impact.</p>
<p>Commissioner Nick Fish</p> <p>Bureau of Environmental Services</p>	
<p>*151 Authorize the Bureau of Environmental Services to acquire certain permanent property rights necessary for Columbia Slough water quality improvements through the exercise of the City's Eminent Domain Authority (Ordinance)</p>	<p>Costs for acquisition and due diligence are estimated at \$73,000 and available in the bureau's FY 2018-2019 adopted budget. Estimated ongoing operations and maintenance costs of \$20,000 are included in the bureau's FY 2019-20 requested budget.</p>

<p>152 Amend contract with Brown and Caldwell, Inc. for professional engineering services for the Columbia Boulevard Wastewater Treatment Plant Waste Gas Burner Replacement Project No. E10649, in the amount of \$338,935 (Second Reading Agenda 130; amend Contract No. 30005983)</p>	<p>The original not to exceed value of this contract was \$293,939. This amendment will add \$338,935 and increase the contract to \$632,874, an increase of 115%. Funding for the project is available in the Sewer System Operating Fund, FY 2018-19 Budget, Bureau of Environmental Services, WBS E10649; this project is in the bureau's CIP plan.</p>
<p align="center">Commissioner Jo Ann Hardesty</p> <p align="center">Portland Bureau of Emergency Management</p> <p>153 Amend timeline for placard requirement and tenant notification for unreinforced masonry buildings and required documentation of compliance (Ordinance; amend Code Section 24.85.065) 30 minutes requested</p>	<p>No fiscal impact to the City.</p>
<p align="center">Portland Fire & Rescue</p>	

***154**

Authorize a purchase order with Hughes Fire Equipment, Inc. for four emergency response apparatus for a total not-to-exceed amount of \$2,816,210 (Ordinance) 10 minutes requested

This purchase order is funded in the FY 2018-19 Fire Apparatus Reserve Fund, which had resources totaling \$7,467,524 for FY 2018-19. The ordinance is being expedited so that the purchase order is processed before March 1, 2019, at which point a 3% unit price increase takes place. The price increase would increase the overall cost \$84,486.

In FY 2010-11, the citizens of Portland approved a five-year Public Safety Levy that included funds for apparatus replacement in Portland Fire & Rescue. During the levy period, the existing ongoing funds dedicated to apparatus replacement in the General Fund were transferred to the General Reserve Fund. The replacement funds will be stored in the General Reserve Fund until funding from the apparatus reserve bond is essentially exhausted from prior purchases. Fire budgeted \$1.15 million for Vehicle and Equipment Capex in FY 2018-19, so appropriation for this expenditure and matching revenues from the General Reserve Fund may have to be added in the Spring BMP. This marks the first year that PF&R will be drawing on the Apparatus reserve to supplement the annual apparatus replacement funds that were previously provided via bond.

Commissioner Chloe Eudaly
Bureau of Transportation

*155	Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the NE Columbia - Cully Boulevard and Alderwood Road intersection improvements project, through the exercise of the City's Eminent Domain Authority (Previous Agenda 132) 15 minutes requested	Total project cost is \$5.6 million and is budgeted in PBOT's FY 2018-19 Adopted Budget and its five-year capital improvement plan.
*156	Authorize the Bureau of Transportation to acquire certain temporary rights necessary for construction of the Springwater Connector project, through the exercise of the City's Eminent Domain Authority (Previous Agenda 133) 15 minutes requested	Total project cost is \$1.2 million and is budgeted in PBOT's FY 2018-19 Adopted Budget and its five-year capital improvement plan.

<u>WEDNESDAY, 2:00 PM, FEBRUARY 20, 2019</u>		
157	<p>TIME CERTAIN: 2:00 PM – Appeal of the Citizen Review Committee against Portland Police Bureau’s finding regarding Independent Police Review/Internal Affairs case No. 2018-C-0001/ Appeal No. 2018-X-0003 (Report introduced by Auditor Hull Caballero) 2 hours requested</p>	No fiscal impact.
<u>THURSDAY, 2:00 PM, FEBRUARY 21, 2019</u>		
158	<p>TIME CERTAIN: 2:00 PM – Extend state of housing emergency, operationalize efficiencies and identify Council powers, specify a twenty-four-month duration, and waive portions of the Portland Zoning Code (Ordinance introduced by Mayor Wheeler) 1.5 hours requested for items 158 and 159</p>	See below.
*159	<p>Authorize a subrecipient contract with the Urban League of Portland for \$214,000 for services in support of fair housing and renter protection (Ordinance introduced by Mayor Wheeler)</p>	The bureau has set aside one-time General Fund resources in the Rental Services budget in FY 2018-19 and will request to carry over encumbered resources into FY 2019-20. This project is considered a pilot, but the bureau notes in the fiscal impact statement that this contract creates a new program without an ongoing funding source.

<p>*160 TIME CERTAIN: 3:30 PM – Amend City Code related to the administration of the Portland Clean Energy Community Benefits Initiative and other housekeeping amendments (Ordinance introduced by Mayor Wheeler; amend Code Chapter 7.02, and add Code Chapter 7.07) 1 hour requested for items 160 and 161</p>	<p>Per the Revenue Division, the full annual cost of collections is estimated at \$967,000. The Revenue Division will recover its administrative costs from the Portland Clean Energy Community Benefits Fund. It is expected these costs will include four Senior Revenue Auditor positions (salary and benefits), outside contractor expenses to modify and maintain the Business License Information System or successor system, computers, phones, desks, rent, staff training, and legal costs through an interagency agreement with the City Attorney's Office. The positions will be hired in May 2020; these expenses will be incurred beginning in FY19-20 (pro-rated for one month).</p>
<p>*161 Create the Portland Clean Energy Community Benefits Fund (Ordinance introduced by Mayor Wheeler; add Code Section 5.04.560)</p>	<p>See below.</p>

***154** Authorize a purchase order with Hughes Fire Equipment, Inc. for four emergency response apparatus for a total not-to-exceed amount of \$2,816,210

CBO Analysis

This purchase order is funded in the FY 2018-19 Fire Apparatus Reserve Fund, which had resources totaling \$7,467,524 for FY 2018-19. The ordinance is being expedited so that the purchase order is processed before March 1, 2019, at which point a 3% unit price increase takes place. The price increase would increase the overall cost \$84,486.

In FY 2010-11, the citizens of Portland approved a five-year Public Safety Levy that included funds for apparatus replacement in Portland Fire & Rescue. During the levy period, the existing ongoing funds dedicated to apparatus replacement in the General Fund were transferred to the General Reserve Fund, with the intention of storing those funds until the Bond funds were exhausted. With this purchase, Fire will be reaching the point where they will need to begin drawing on the allocations stored in the General Reserve Fund. Fire budgeted \$1.15 million for Vehicle and Equipment Capex in FY 2018-19, so appropriation for this expenditure and matching revenues from the General Reserve Fund may have to be added in the Spring BMP.

158 Extend state of housing emergency, operationalize efficiencies and identify Council powers, specify a twenty-four-month duration, and waive portions of the Portland Zoning Code

CBO Analysis

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This action extends the State of Housing Emergency by two years; although the Housing Bureau and Joint Office are directed to track specific measures, there are no criteria provided for declaring an end to the State of Emergency. BPS is directed to work with other partners to undertake significant code development work. The ordinance does not provide a fiscal impact, but BPS reports that achieving the directives will likely require an additional 1.5 FTE and other materials and services resources. This workload has not been factored into the bureau's FY 2018-19 Revised or FY 2019-20 Requested Budget; therefore, the bureau will either need to prioritize within existing resources or request new resources from Council.

***161** Create the Portland Clean Energy Community Benefits Fund

CBO Analysis

This ordinance has no direct fiscal impact as it is primarily creating the Portland Clean Energy Community Benefits Fund. However, the ordinance authorizes 4 new FTE positions and directs BPS to submit a budget request in the Spring Budget Monitoring Process for up to \$185,000 in general fund contingency funds to be spent on those positions and other administrative costs within BPS in relation to the fund before the fund realizes revenues. The general fund will be reimbursed from the Clean Energy Fund in FY 2019-20, once fund revenues are available. Administration costs needed prior to the Spring BMP will be covered by vacancy savings in the Solid Waste Management Fund and will also be reimbursed when the Clean Energy Fund revenues are available. After the fund has revenues, administration costs, including the 4 FTE authorized by this ordinance, will be paid for by the fund.