

<p>PORTLAND CITY COUNCIL AGENDA City Hall - 1221 SW Fourth Avenue <u>WEDNESDAY, 9:30 AM, MARCH 13, 2019</u></p>		<p>Disposition:</p>
<p>TIMES CERTAIN</p>		
<p>220</p>	<p>TIME CERTAIN: 9:45 AM – Age-Friendly Portland Initiative Report to Council (Report introduced by Commissioner Fish) 45 minutes requested</p>	<p>No fiscal impact.</p>
<p>221</p>	<p>TIME CERTAIN: 10:30 AM – Declare intent to initiate local improvement district formation proceedings to construct street, sidewalk, and stormwater improvements from E Burnside St to south of NE Everett Ct in the NE 97th Ave Phase II Local Improvement District (Resolution introduced by Commissioner Eudaly; C-10067) 30 minutes requested</p>	<p>This Resolution authorizes PBOT to initiate a local improvement district (LID). The total cost is estimated (low confidence) at \$5.63 million. 10% of the LID revenue (\$531,635) is to be added to the FY18-19 fiscal year budget; 20% of the LID revenue (\$1,063,270) is to be added to the FY19-20 fiscal year budget; and 70% of the LID revenue (\$3,721,444) is to be added to the FY20-21 fiscal year budget for total LID revenue of \$5,316,349. PBOT would contribute \$318,852.64 in overhead funding for this work. This project is not currently in the bureau’s five-year capital improvement plan.</p>
<p>CONSENT AGENDA – NO DISCUSSION</p>		
<p>Mayor Ted Wheeler</p> <p>Bureau of Planning & Sustainability</p>		
<p>222</p>	<p>Consent to the transfer of Lehl Garbage, Inc. dba Lehl Disposal residential solid waste, recycling and composting collection franchise to Heiberg Garbage & Recycling LLC (Second Reading Agenda 198)</p>	<p>No fiscal impact.</p>

Commissioner Chloe Eudaly

Bureau of Transportation

***223** Authorize application to Metro Regional Travel Options Grants Program for grants up to \$1.3 million to provide more travel options, increase use of active transportation options and decrease vehicle miles traveled (Ordinance)

This Ordinance authorizes PBOT to apply for \$1.26 million in grant funds from Metro for five different projects to support transportation demand management (TDM) strategies within its Active Transportation and Safety program. Local match is required, if fully funded this equals \$144,212 which PBOT plans to fund from general transportation revenue (GTR), budgeted staff and materials, and the transportation safety account.

224 Adopt findings of City Engineer regarding the appeal of Kyle Bell against the Portland Bureau of Transportation posting property at 2370 SE 60th for sidewalk repairs (Second Reading Agenda 206)

This Ordinance accepts the engineering report for \$4,825 of sidewalk repairs to be paid to the City.

City Auditor Mary Hull Caballero

***225** Assess property for system development charge contracts, private plumbing loan contracts and safety net loan deferral contracts (Ordinance; Z0836, K0178, T0195, W0064, K0179, T0196, Z0837, W0065, P0157, P0158)

This item will increase the City's current year lien revenue by \$1.3 million and future lien revenue by \$165,020 in funds 200, 402, 600 and 615.

REGULAR AGENDA

***226** Amend Affordable Housing Preservation and Portland Renter Additional Protections to make technical changes following adoption of SB 608, other technical changes, and clarify the affordable housing exemption (Ordinance introduced by Mayor Wheeler and Commissioner Eudaly; amend Code Section 30.01.085) 15 minutes requested

No anticipated fiscal impact to the bureau's budget.

227 Request the federal government update studies on the potential health risks of 5G radio frequency wireless emissions and publish findings, as federal guidelines push for more rapid deployment of 5G (Resolution introduced by Mayor Wheeler, Commissioners Eudaly and Fritz) 10 minutes requested

No fiscal impact.

Mayor Ted Wheeler

Office of Community Technology

<p>228</p>	<p>Grant a temporary, revocable permit to New Cingular Wireless PCS, LLC for wireless communications services in the City (Second Reading Agenda 122)</p>	<p>See below.</p>
<p>Office of Management and Finance</p>		
<p>229</p>	<p>Adopt revised Comprehensive Financial Management Policies; Financial Planning, Operation and Maintenance, and Budget to address the City's financial planning and annual budget processes (Resolution; amend FIN 2.03, 2.03.02 and 2.04) 15 minutes requested</p>	<p>See below.</p>
<p>Commissioner Nick Fish Bureau of Environmental Services</p>		
<p>230</p>	<p>Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Luther Road Restoration Project No. E10854 for the estimated amount of \$1,750,000 (Ordinance) 10 minutes requested</p>	<p>This is a secondary project under the Johnson Creek program (E07466) and has a secondary project budget which will cover these contract expenses.</p>
<p>231</p>	<p>Amend contract with HDR Engineering, Inc. for additional construction and start up support services for the Columbia Boulevard Wastewater Treatment Plant Renewable Natural Gas Facility Project No. E10033 not to exceed \$222,800 (Ordinance; amend Contract No. 30003218) 10 minutes requested</p>	<p>This is a stand-alone capital project that is planned and budgeted in the bureau's CIP. Expected completion date of October 2019.</p>
<p>Parks & Recreation</p>		
<p>232</p>	<p>Authorize Commissioner-in-Charge of Portland Parks & Recreation or designee to execute agreements for the acquisition of real properties to expand the park system (Ordinance) 10 minutes requested</p>	<p>No direct fiscal impact, although future acquisitions will have financial implications, particularly with regards to ongoing operations and maintenance costs of new parks.</p>
<p>Commissioner Jo Ann Hardesty Portland Fire & Rescue</p>		

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<p>233 Authorize Portland Fire & Rescue to charge a fee-for-service for cost recovery of non-emergent lift assist responses to Oregon state licensed commercial assisted living, residential care and nursing facilities with the City (Second Reading Agenda 212)</p>	<p>This initiative is a part of the Fire Bureau's FY 2018-19 General Fund reduction. The fee is projected to increase Charges for Service revenue by \$5,000 annually to backfill a decrease in the Fire Bureau's ongoing General Fund discretionary funding. It is possible that the revenue generated by this charge will decrease in outyears as assisted living centers are disincentivized from making these calls.</p>
<p style="text-align: center;">Commissioner Chloe Eudaly Bureau of Transportation</p> <p>*234 Amend Transportation Fee Schedule to charge fees associated with the Master Lease Agreement and wireless small cell permits and associated fees (Ordinance; amend TRN-3.450)</p>	<p>See below.</p>
<p><u>WEDNESDAY, 2:00 PM, MARCH 13, 2019</u></p>	
<p>235 TIME CERTAIN: 2:00 PM – BIKETOWN 2018 Annual Report (Report introduced by Commissioner Eudaly) 1 hour requested</p>	<p>No immediate fiscal impact.</p>
<p>236 TIME CERTAIN: 3:45 PM – Accept report on workforce development by Worksystems Inc. (Report introduced by Mayor Wheeler) 1 hour requested</p>	<p>No fiscal impact.</p>
<p><u>THURSDAY, 2:00 PM, MARCH 14, 2019</u></p>	
<p>REGULAR AGENDA Mayor Ted Wheeler Office of Management and Finance</p>	
<p>237 Prime Contractor Development Program Annual Report 2017-18 (Report introduced by Mayor Wheeler) 1.5 hours requested</p>	<p>No fiscal impact.</p>
<p>Bureau of Police</p>	

<p>*238 Authorize competitive solicitation not to exceed \$1.6 million for a body-worn camera system for police officers (Ordinance introduced by Mayor Wheeler) 1 hour requested</p>	<p>See below</p>
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228 Grant a temporary, revocable permit to New Cingular Wireless PCS, LLC for wireless communications services in the City (Ordinance)

CBO Analysis:

On December 19th, 2018, Council authorized the Office for Community Technology and PBOT to enter into negotiations with AT&T to achieve agreement around franchising and permitting of small cell infrastructure for 5G deployment (Resolution 37405).

AT&T has requested that the City issue a temporary revocable permit in the near term, as the process for finalizing the negotiated franchise agreement is estimated to take 4 months.

The terms of the temporary revocable permit are substantially similar to those previously presented to Council. AT&T will make two upfront payments of \$1.25 million, essentially prepaying a \$1,250 per year per small cell fees and \$8,000 per year per macro wireless facility. The current temporary agreement discusses one upfront payment, \$950,000 of which would be considered General Fund revenue, and \$300,000 of which would be recognized as permit fee revenue in PBOT.

229 Adopt revised Comprehensive Financial Management Policies; Financial Planning, Operation and Maintenance, and Budget to address the City's financial planning and annual budget processes (Resolution; amend FIN 2.03, 2.03.02 and 2.04) 15 minutes requested

CBO Analysis:

Adopting these changes will have various impacts on the City's financial management practices, and full compliance with financial policy may require the reallocation of resources either within or across bureaus. Highlights of the changes include further clarification and requirements to how bureaus develop financial plans, and specifically, that financial plans should reflect bureaus' asset management needs and the inclusion of replacement reserves. These policies further prescribe the use of asset management practices and the inclusion of lifecycle costing as part of the development of the capital planning process.

Additionally, per these revisions, bureaus shall absorb labor agreement costs that exceed inflation. Any employee and/or service reductions shall be included in the fiscal impact statement of labor agreement ordinance. Bureaus can ask for funding for the labor agreement in a subsequent budget process.

Lastly, adopting these policy changes will codify the current practice of restricting capital set-aside resources to projects relating to emergency preparedness, parks and recreation, and transportation. The policy changes also consolidates the capital set-aside process into a single annual occurrence as part of budget development, which will allow for the allocation of higher dollar amounts for large projects.

***234** Amend Transportation Fee Schedule to charge fees associated with the Master Lease Agreement and wireless small cell permits and associated fees (Ordinance; amend TRN-3.450)

CBO Analysis:

This Ordinance amends the Transportation Fee Schedule by adding and revising fees associated with wireless small cell permits to prepare the City for 5G deployment and usage of the right-of-way. This amendment is based off negotiations with AT&T for the Site Lease Program, and internal cost recovery estimates.

Specifically, the fee schedule is amended under the Street Opening (SO) Permits to Utilities section, adding a Small Cells category. The fee menu allows providers scalable options for identifying and securing City owned infrastructure (poles) for rent, installing small wireless facilities to deploy 5G broadband. Services and fees range from hourly and one-time flat rates for options such as: site walk assessments and meetings to small cell site attachments. Additionally, this amendment decreases Central City and Outside of Central City

rent for the Small Cell Site Lease program from \$5,500 and \$3,500 to a flat \$750.00 annual rent. It also adds a Master Lease Agreement and Lease Supplement option for the Small Cell Site Lease Program (\$2,500 and 800.00 one-time).

The Portland Bureau of Transportation (PBOT) notes that fees are based off low-confidence estimates to launch this new right-of-way program. It is designed to be cost recovery only, therefore the bureau notes that it will reassess fees next year to ensure full cost recovery, making adjustments up or down as necessary. Should all providers (AT&T, Verizon, Comcast, TMobile, Sprint, etc.) decide to move forward this year, PBOT estimates issuing 750 permits and collecting cost-recovery funds totaling \$1.75 million. PBOT notes that this is very unlikely, estimating only one-fourth moving forward, or processing 188 permits and charging/receiving \$437,500 for the year. The bureau highlights that this is a new program, of which existing fees had never been utilized before, therefore estimating the annual usage and cost-recovery estimate is difficult in this first year.

238 Authorize competitive solicitation not to exceed \$1.6 million for a body-worn camera system for police officers (Ordinance introduced by Mayor Wheeler)

CBO Analysis:

This ordinance authorizes a competitive solicitation for a body worn camera system for the Police Bureau. The total dollar amount for the solicitation is \$1.6 million. The bureau intends to implement a pilot project, testing out systems from the top two responding vendors, in order to evaluate and select a permanent body worn camera system.

The Police Bureau was allocated ongoing resources of \$1.7 million in FY 2016-17 to implement and sustain a body worn camera program, which was in addition to approximately \$800,000 in one-time resources allocated for equipment purchase. Ongoing resources support 3.0 program staff in PPB as well as BTS support.

The bureau has sufficient resources to cover the estimated cost of this project within its existing resources, though it is not clear to CBO whether this \$1.6 million project cost will cover an eventual full roll out of body worn cameras to the bureau's patrol function (as opposed to covering only the cost of the pilot project phase). Full implementation of a body worn camera program may drive higher future costs, specifically as related to data retention and public records request response.

While available resources are sufficient to cover this project cost, substantial work around policy development is planned and must be completed prior to implementation of a body worn camera program.