

PORTLAND CITY COUNCIL AGENDA City Hall - 1221 SW Fourth Avenue <u>WEDNESDAY, 9:30 AM, APRIL 24, 2019</u>		Disposition:
TIMES CERTAIN		
345	TIME CERTAIN: 9:45 AM – Proclaim April 25 th to be Music Millennium Day (Proclamation introduced by Mayor Wheeler and Commissioner Fish) 15 minutes requested	No fiscal impact.
CONSENT AGENDA – NO DISCUSSION		
Commissioner Nick Fish		
Bureau of Environmental Services		
*346	Authorize the Bureau of Environmental Services to execute a temporary access easement and settlement agreement with Bruce Ankarberg as part of the Luther Road Habitat Restoration Project No. E10854 in the amount of \$68,534 (Ordinance)	This is a secondary project under the Johnson Creek Res. Program (#E07466) and is budgeted for in the bureau's CIP.

<p>Commissioner Amanda Fritz</p> <p>Water Bureau</p>		
<p>347</p>	<p>Authorize a Collection Agreement with the U.S. Forest Service in the amount of \$159,948 to use ecohydrological models to study wildfire scenarios in the Bull Run Watershed (Ordinance)</p>	<p>The total not-to-exceed cost for the work under this agreement is \$159,948, to be expended over three fiscal years. Funding is available in the Water Bureau's FY 2018-19 budget and funds will be requested in the FY 2019-20 and FY 2020-21 budgets.</p>
<p>REGULAR AGENDA</p>		
<p>Mayor Ted Wheeler</p>		
<p>Bureau of Planning & Sustainability</p>		
<p>348</p>	<p>Amend Title 33 to update the Neighborhood Contact regulations (Previous Agenda 314; Ordinance; amend Title 33) 15 minutes requested</p>	<p>See below.</p>
<p>Bureau of Police</p>		
<p>*349</p>	<p>Authorize application for and accept three traffic enforcement grants for \$64,000 and appropriate \$45,000 for FY 2018-19 from the Oregon Department of Transportation Traffic Safety Division 2019 grant programs for sworn personnel overtime reimbursement (Ordinance) 20 minutes requested</p>	<p>No General Fund fiscal impact; any match required of these grants is already included within the bureau's budgeted dollars for the Traffic Division.</p>
<p>350</p>	<p>Amend an Intergovernmental Agreement with Multnomah County to extend the Sex Buyers Accountability and Diversion Program through December 31, 2021 (Ordinance; amend Contract No. 30002122) 20 minutes requested</p>	<p>This is a revenue-generating program for the bureau. Revenue is part of the bureau's budgeted resources in its balanced budget submission.</p>
<p>351</p>	<p>Amend a grant agreement with LifeWorks Northwest in an amount not to exceed \$210,000 and extend funding through June 30, 2020, for the New Options for Women program (Ordinance; amend Contract No. 32001416) 20 minutes requested</p>	<p>This program is budgeted in the bureau's General Fund appropriation. The program had previously been partially funded by the JAG grant; uncertainty in this funding source prompted Council action to support this ongoing program entirely with ongoing General Fund resources.</p>
<p>Office of Management and Finance</p>		

352	Authorize the Mayor to sign the updated Stadium Good Neighbor Agreement for Providence Park (Second Reading Agenda 321)	No fiscal impact.
353	Approve the updated Providence Park Comprehensive Transportation Management Plan (Second Reading Agenda 322)	No fiscal impact.
354	Authorize a temporary interfund loan not to exceed \$2.6 million from the Bureau of Planning and Sustainability Solid Waste Fund to the Portland Clean Energy Community Benefits Fund to provide interim financing for startup costs of the Clean Energy Community Benefits program (Second Reading Agenda 338)	See below.
Commissioner Chloe Eudaly		
Bureau of Transportation		
355	Amend Underground Wiring Districts code to permit the attachment of wireless facilities on poles (Ordinance; amend Code Section 17.60.110) 20 minutes requested	No fiscal impact.
356	Create a local improvement district to construct street, sidewalk, and stormwater improvements in the NE 97th Ave Phase II Local Improvement District (Second Reading Agenda 323; C-10067)	Total estimated cost of the local improvement district (LID) is \$5.3 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 is also contributing \$360,615 for overhead costs associated with the project. This project is not included in the bureau's five-year capital improvement plan.
Commissioner Amanda Fritz		
Water Bureau		

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<p>357 Authorize a contract with the lowest responsible bidder and provide payment for the construction of the Dam 1 Needle Valve Replacement Project at an estimated cost of \$2 million (Ordinance) 10 minutes requested</p>	<p>The engineer's estimate for this contract action is \$2 million. Funding for this procurement action is requested as part of the Water Bureau's FY 2019-20 budget. Funding is from a combination of net proceeds from revenue bond sales, water sales revenue, and other construction fund revenues. The proposed action will not result in a change in the forecast water rates. The total moderate confidence estimated cost for the project is \$3,795,000, and additional construction budget will be requested for FY 2020-21.</p>
<p style="text-align: center;"><u>WEDNESDAY, 2:00 PM, APRIL 24, 2019</u></p>	
<p>358 TIME CERTAIN: 2:00 PM – Proclaim April 24th to be Reverend Dr. James Lawson Jr. Day (Proclamation introduced by Mayor Wheeler and Commissioner Fish) 30 minutes requested</p>	<p>No fiscal impact.</p>
<p>359 TIME CERTAIN: 2:30 PM – Proclaim April 2019 to be Second Chance Month (Proclamation introduced by Mayor Wheeler and Commissioner Eudaly) 30 minutes requested</p>	<p>No fiscal impact.</p>

THURSDAY, 2:00 PM, APRIL 25, 2019

**MEETING HAS BEEN CANCELED
DUE TO LACK OF AGENDA ITEMS**

360 ~~**TIME CERTAIN: 2:00 PM**~~ – Add Evaluation of Applicants for Dwelling Units to include renter protections in the form of screening criteria regulations. (Second Reading Agenda 294; Ordinance introduced by Commissioner Eudaly; add Code Section 30.01.086)

See below.

RESCHEDULED TO MAY 23, 2019 AT 3:00 PM TIME CERTAIN

361 Add Security Deposits; Pre-paid Rent to include renter protections in the form of security deposit regulations (Second Reading Agenda 295; Ordinance introduced by Commissioner Eudaly; add Code Section 30.01.087)

See below.

RESCHEDULED TO MAY 23, 2019 AT 3:00 PM TIME CERTAIN

348 Amend Title 33 to update the Neighborhood Contact regulations (Previous Agenda 314; Ordinance; amend Title 33)

CBO Analysis:

This ordinance amends Title 33 of the City's Zoning Code, changing the Neighborhood Contact process involved in development. There are no direct fiscal impacts; however, there may be several currently unknown costs associated with this action.

For example, there will be costs incurred to the City for the ongoing administration and outreach and education of these zoning changes. Changes are also likely to affect ongoing costs in BDS as this ordinance changes the permit and land review process. Changes are projected to speed up the development process, but could also result in increased volume of inquiries, resulting in a currently unknown cost to the City. Changes could also increase costs to developers due to additional requirements, such as holding a meeting and purchasing a sign. Increased development costs could affect levels development in the City and, in turn, affect City tax revenues and costs.

354 Authorize a temporary interfund loan not to exceed \$2.6 million from the Bureau of Planning Sustainability Solid Waste Fund to the Portland Clean Energy Community Benefits Fund to provide interim financing for startup costs of the Clean Energy Community Benefits program (Second Reading Agenda 338)

CBO Analysis

The maximum amount of this interfund loan is \$2,600,000. The interfund loan will accrue interest at the City's Investment Fund earnings rate, payable to the BPS Solid Waste Management Fund (SWMF) at maturity (June 30, 2020). Total interest is estimated to not exceed \$150,000. BPS included a request to transfer \$297,790 from SWMF contingency to the Portland Clean Energy Community Benefits Fund in the FY 2018-19 Spring BMP as part of this interfund loan process and expects to request \$1,890,188 in the FY 2019-20 Approved Budget. The SWMF has sufficient resources to fund the loan and will be repaid with interest from the Clean Energy Surcharge (CES) tax revenues. The fund is estimated to create \$50-70 million in new annual revenue once it is fully at scale. There are no other expected costs to the City associated with this action.

360 Add Evaluation of Applicants for Dwelling Units to include renter protections in the form of screening criteria regulations. (Second Reading Agenda 294; Ordinance introduced by Commissioner Eudaly; add Code Section 30.01.086) and;

361 Add Security Deposits; Pre-paid Rent to include renter protections in the form of security deposit

regulations (Second Reading Agenda 295; Ordinance introduced by Commissioner Eudaly; add Code Section 30.01.087)

CBO Analysis:

The two ordinances direct the Portland Housing Bureau to do the following:

1. Screening criteria regulations: to promulgate administrative rules that will create forms, materials, and trainings, and to establish a delayed implementation plan.
2. Security deposit regulations: to establish and publish a fixture value depreciation schedule, rental history form, and delayed implementation plan.

Please note:

- The ordinances as written do not appear to include any kind of auditing or enforcement functions, both of which would significantly increase the cost of implementation and ongoing management.
- The level of funding required in FY 2019-20 depends on both the timing of the implementation plan and a potential Rental Registration Fee.

In the FY 2019-20 Requested Budget, PHB estimated that implementation of the screening criteria and security deposit regulations as proposed at that time would require 2.0 additional FTE¹ and \$979,500 in General Fund resources (\$427,980 ongoing, \$551,520 one-time). This budget request includes resources for materials, translation services, printing and distribution, legal services from the City Attorney's Office, and contracts with culturally specific organizations or industry associations to help host trainings and information sessions.

As an alternative funding strategy, CBO notes that PHB and the Revenue Division have been directed to propose Rental Registration fee scenarios that would cover the cost of some or all rental services activities in the Housing Bureau and expenses in the Revenue Division related to compliance. These fees have not yet been presented to Council. If these regulations were included as part of a fee, the estimated per-unit cost to cover ongoing expenses for the proposed screening criteria and security deposit regulations would translate to approximately \$3.40 per rental unit across the City. This does not include the estimated one-time costs of \$551,520; furthermore, additional one-time funding may be required during initial rollout of a Rental Registration fee, as it would likely take several years to achieve full compliance.