

<p align="center">PORTLAND CITY COUNCIL AGENDA City Hall - 1221 SW Fourth Avenue WEDNESDAY, 9:30 AM, MAY 22, 2019</p>		<p align="center">Disposition:</p>
<p align="center">TIMES CERTAIN</p> <p>*450 TIME CERTAIN: 9:45 AM – Grant revocable permits to the Portland Rose Festival Foundation to perform activities relating to Portland Rose Festival annual celebration from May 24 through June 9, 2019 (Ordinance introduced by Commissioners Eudaly and Fritz) 25 minutes requested</p>		<p>In line with the City-Rose Festival MOU agreed upon in December 2012 (Ordinance 185815), Council has historically voted in favor of absorbing the majority of the costs associated with the Rose Festival events and waiver of some fees. In 2019, PBOT will collect permit fees of \$9,270 and Parks & Recreation will collect \$163,133 for the use of Waterfront Park, and Fire & Rescue will collect \$2,889. The City will absorb at least \$429,000 in expenditures related to the festival, including \$256,000 in PBOT services, \$160,000 in Police services, and \$13,000 from Fire & Rescue. Additionally, the FY 2018-19 budget included a \$100,000 Special Appropriation to the Rose Festival Foundation.</p>
<p>451 TIME CERTAIN: 10:10 AM – Appoint Akasha Lawrence Spence, Oriana Magnera, and Steph Routh, and reappoint Katie Larsell and Eli Spevak to the Planning and Sustainability Commission for terms to expire May 31, 2023 (Report introduced by Mayor Wheeler) 15 minutes requested</p>		<p>No fiscal impact.</p>

<p>452 TIME CERTAIN: 10:25 AM – Establish Privacy and Information Protection Principles to serve as guidance for how the City collects, uses, manages and disposes of data and information (Resolution introduced by Mayor Wheeler and Commissioners Eudaly, Fish, Fritz and Hardesty) 45 minutes requested</p>	<p>There is no immediate fiscal impact from adopting this ordinance. The bureau expects that initial analysis mandated by the resolution will be executed within its current resources. However, the Smart City PDX program stated that it plans to request additional resources in FY 2020-21 in order to implement the principles as part of the City's overall Data Governance strategy. The expected amount of these resources is currently unknown.</p>
<p>CONSENT AGENDA – NO DISCUSSION</p> <p>Mayor Ted Wheeler</p> <p>Bureau of Planning & Sustainability</p>	
<p>453 Amend Intergovernmental Agreement with Metro to accept an additional \$40,000 for administration of the Master Recycler Program (Second Reading Agenda 423; amend Contract No. 30003529)</p>	<p>This ordinance authorizes the Bureau of Planning and Sustainability to accept a \$40,000, one-year grant extension for the Master Recycle Program. This authorization does not amend the bureau's budget.</p>
<p>Office of Management and Finance</p>	
<p>454 Authorize eight grants for the Workforce Training and Hiring Program to local pre-apprenticeship programs with a total value of \$68,586 (Ordinance)</p>	<p>The City collects funds through compliance-related activities to provide grant opportunities to organizations that provide recruitment and training for women and minorities to enter the construction trades. Procurement Services has the funds for these grants in its FY 2018-19 budget</p>
<p>Portland Housing Bureau</p>	

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*455	Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for QBD Holgate located at 1590 SE Holgate Blvd (Ordinance)	This action would result in estimated foregone property tax revenues to the City totaling \$92,829 over ten years for 28 units affordable at or below 60% MFI. Total cost to all jurisdictions forgoing revenue is estimated at \$281,299. The estimated value of the tax exemption for the first year is \$30,544 (all jurisdictions), which equals approximately \$1,091 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 \$9,000 application activation fee if the application moves forward.
Commissioner Nick Fish Bureau of Environmental Services		The costs to the City include a one-time cost for an amount not to exceed \$73,325 to Clean Water Services to complete the work detailed in the IGA by November 2019. Clean Water Services will assume operation and maintenance costs post construction. Funds are available in the Sewer System Operating Fund, FY 2018-19 Budget, Bureau of Environmental Services WBS Element E10599.EXP. The project does not amend the budget or change appropriations.
456	Authorize an Intergovernmental Agreement with Clean Water Services for construction of Woods Creek stormwater facilities for an amount not to exceed \$73,325 (Second Reading Agenda 427)	No funds will be affected by the approval of this Trail Master Plan.
457	Authorize the Director of the Bureau of Environmental Services to formally adopt a Trail Master Plan for the Tryon Creek State Natural Area to the Willamette River Greenway, and to work in partnership with the City of Lake Oswego and Metro on the implementation of the plan (Second Reading Agenda 428)	No funds will be affected by the approval of this Trail Master Plan.

<p>458</p>	<p>Amend various sections of the Public Improvements Code for clarity, correction of references and consistency (Second Reading Agenda 429; amend Code Chapters 17.14, 17.32, 17.34, 17.36, 17.37, and 17.39)</p>	<p>No funds will be affected by the approval of this ordinance.</p>
<p>Commissioner Jo Ann Hardesty Portland Fire & Rescue</p>		
<p>459</p>	<p>Amend fee schedule associated with fire regulations (Ordinance; amend FIR-12.01)</p>	<p>The Portland Fire & Rescue is updating its fee schedule to reflect various fee changes that have occurred during the fiscal year. Changes being made this year include an updated non-emergency lift assist fee projected to generate less than \$5,000 in additional revenue; new arts and culture event permitting projected to raise less than \$5,000 in additional revenue, and increasing the fee for facilities permit program fee in step with the fee increase put forward by the Bureau of Development Services recover the cost of the program, expected to increase revenue by \$45,000 per year.</p>
<p>Commissioner Chloe Eudaly Bureau of Transportation</p>		
<p>*460</p>	<p>Authorize application to Oregon Department of Transportation Safe Routes to School Competitive Non-Infrastructure Grant Program for a grant in the amount of \$300,000 (Ordinance)</p>	<p>This ordinance authorizes PBOT to apply for a \$300,000 grant to support the SUN Safe Routes to School Program. The program need is \$336,000. PBOT will provide local match of \$36,000 via staff time already planned and budgeted for through General Transportation Revenue (GTR). This program is budgeted in FY 2019-20.</p>

***461** Authorize contract with David Evans & Associates, Inc. for the design of the NE 42nd Bridge Replacement project in the amount of \$2,009,884 (Ordinance)

Total design and construction costs are estimated at \$16.7 million. PBOT has multiple internal resources dedicated for this project. This ordinance authorizes the bureau to enter into a contract for the design phase of the project. The bridge replacement is budgeted in FY 2019-20 and is included in the bureau's five-year capital improvement plan.

Commissioner Amanda Fritz

Water Bureau

462 Authorize an Intergovernmental Agreement with Multnomah County Department of Community Justice in the amount of \$206,000 to conduct general heavy brushing and cleanup work (Ordinance)

The total cost of this Intergovernmental Agreement will not exceed \$206,000 over a period of five years. Funding of \$41,200 is included in the Water Bureau's FY 2019-20 budget. Additional funds will be requested in the FY 2020-21 through FY 2023-24 budgets. The proposed action will not result in a change in the forecast water rates.

REGULAR AGENDA

Bureau of Environmental Services

<p>463 Settlement with the U.S. Environmental Protection Agency for certain Portland Harbor Remedial Design Costs (Second Reading Agenda 440; Ordinance introduced by Mayor Wheeler and Commissioner Fish)</p>	<p>Under this agreement with EPA, the City— alongside the State— will establish a trust and contribute a maximum total of \$12 million over the next 3 fiscal years. The first transfer to the trust by the City in July of 2019 will be in the total amount of \$6 million. Actual amounts required to be transferred in FY2020-21 and FY2021-22 will depend on the amount needed to provide reimbursement to the parties who have accepted the funding offer. Consistent with the Mayor’s Proposed Budget released May 1, 2019, BES will use funds transferred into the Portland Harbor Superfund Reserve for the initial payment in FY2019-2020. These funds have already been collected via the Environmental Remediation Fund. BES will work with other bureaus to identify funding for the two subsequent payments.</p>
<p>Mayor Ted Wheeler</p> <p>Bureau of Development Services</p>	
<p>464 Amend permit fee schedules for building, electrical, land use services, mechanical, enforcement, plumbing, signs, site development, and land use services fee schedule for the Hearings Office (Second Reading Agenda 420)</p>	<p>See below.</p>
<p>Bureau of Police</p>	
<p>465 Amend an Intergovernmental Agreement with Multnomah County in an amount not to exceed \$197,160 and extend funding through March 31, 2020, for the Forensic Consultant contract expenses related to the National Sexual Assault Kit Initiative Program (Second Reading Agenda 431; amend Contract No. 30005612)</p>	<p>This ordinance extends a contract with the County through March 2020 and increases the not-to-exceed contract amount by \$99,000. Both the current contract cost and the increased cost funded by the City are reimbursed via a grant from the Department of Justice.</p>

Office of Management and Finance	
<p>466</p>	<p>Authorize a Price Agreement with G4S Secure Solutions (USA), Inc. for Professional Security Officer Services for a contractual term of five years totaling \$10 million (Procurement Report - Project No. 123363) 10 minutes requested</p>
<p>This action authorizes a not-to-exceed contract cost of \$10 million with G4S for contracted security services. The cost of the contract, which covers multiple City-managed locations, is funded from interagency revenues in OMF-Facilities Services. Contracted security costs have increased fairly substantially in recent years, with FY 2017-18 spending of approximately \$2.9 million compared to \$1.5 million in FY 2014-15. Year-to-date spending in FY 2018-19 is approximately \$2.4 million. Given current contracted security spend rates, it is likely that the total contract costs will exceed \$10 million over the 5-year life of the contract, potentially by several million dollars. Adjusting the not-to-exceed amount will require future Council action.</p>	
<p>*467</p>	<p>Authorize a competitive solicitation and contract with the highest scoring proposers and provide for payment for campsite cleanup services for an estimated \$5 million annually, over a five-year period (Ordinance) 10 minutes requested</p>
<p>The estimated cost of this contract (\$5,000,000) will be funded over the five-year period with annual appropriation in the OMF-HUCIRP budget and an intergovernmental agreement with the Oregon Department of Transportation (ODOT) for campsite cleanup and personal property storage on ODOT properties within the City of Portland (IGA No. 33263).</p>	

<p>468 Amend City Code to streamline the procurement and contracting process (Ordinance; amend Code Chapters 5.33, 5.34 and 5.68) 15 minutes requested</p>	<p>There is no direct budgetary impact based on this legislation, however, it is believed that the revisions included in this ordinance will enable bureaus to execute contracts in a more streamlined manner and accomplish work more efficiently.</p>
<p>469 Approve FY 2019-20 cost of living adjustments to pay rates for nonrepresented classifications and Elected Officials, specify the effect upon employees in the classifications involved, and provide for payment (Ordinance) 10 minutes requested</p>	<p>This action approves a 3.9% Cost of Living Adjustment for all non-represented employees. This action is not required, but does comport with historical practice, with Administrative Rule 8.04 Compensation, and provides for consistent treatment relative to most City labor agreements. The cost for FY 2019-20 is \$8,685,000, \$4,054,000 of which is for bureaus in the General Fund. Less overhead and interagency resources, the direct General Fund Discretionary impact of this action is estimated to be \$2.0 million to \$2.5 million. This cost of living adjustment is accounted for in the FY 2019-20 budget and in the forecast.</p>
<p align="center">Commissioner Nick Fish Bureau of Environmental Services</p>	

<p>470</p>	<p>Amend contract with Brown and Caldwell, Inc. for professional engineering services for the Alder Pump Station Upgrade Project No. E10359, in the amount of \$85,000 (Second Reading Agenda 436; amend Contract No. 30003063)</p>	<p>The original not to exceed value of this contract was \$357,693. Over the course of the project, additional amendments increased the contract amount to \$741,789. The amendments were required based on increased scope and project complexity identified during the design phase. This amendment will add \$85,000 and increase the contract to \$826,789, an increase of 11.5% over the current approved contract. These amendments are budgeted under project E10359.</p>
<p>471</p>	<p>Revise sewer and stormwater rates, charges and fees in accordance with the FY 2019-2020 Sewer User Rate Study (Second Reading Agenda 439)</p>	<p>See below.</p>
<p>Parks & Recreation</p>		
<p>472</p>	<p>Amend fee schedules for tree permits (Ordinance) 10 minutes requested</p>	<p>See below.</p>
<p>473</p>	<p>Amend regulations for Tree Planting & Preservation Fund to improve tree planting program outcomes (Second Reading Agenda 443)</p>	<p>No fiscal impact.</p>

Commissioner Chloe Eudaly		
Bureau of Transportation		
474	Revise transportation fees, rates and charges for FY 2019-20, amend Transportation Fee Schedule and City Parking Garage Rates, and fix an effective date (Ordinance; amend TRN 3.450 and Code Section 16.20.920) 15 minutes requested	See below.
Commissioner Amanda Fritz		
475	Amend the Open and Accountable Elections Program (Ordinance; amend Code Chapter 2.16) 25 minutes requested	No fiscal impact. The proposed amendments clarify that the Commissioner of Public Utilities will continue to provide oversight of the program; revise the hearings and appeals process, and clarify the use of public contributions as they relate to penalties.
Water Bureau		
476	Authorize the rates and charges for water and water-related services beginning July 1, 2019 to June 30, 2020 and fix an effective date (Second Reading Agenda 438)	See below.
<u>WEDNESDAY, 2:00 PM, MAY 22, 2019</u>		
477	TIME CERTAIN: 2:00 PM – Approval of the FY 2019-20 budget for the City of Portland (Mayor convenes Council as Budget Committee) 1 hour requested	The action of the Budget Committee (as requested in this report) will increase total requirements in various funds by \$49.5 million from the FY 2019-20 Proposed Budget, as distributed on May 6, 2018. In total, a net of 14.64 full-time equivalent positions are increased in the FY 2019-20 Approved Budget.
478	TIME CERTAIN: 3:00 PM – Approve the Annual Budget of Prosper Portland for FY 2019-20 (Mayor convenes Council as Prosper Portland Budget Committee) 30 minutes requested	Prosper Portland's FY 2019-20 budget will be \$388.5 million, including General Fund resources of \$7.0 million.

<p>479</p>	<p>TIME CERTAIN: 4:00 PM – Appoint Britton Masback to the Portland Committee on Community-Engaged Policing for a term to expire June 30, 2020 (Report introduced by Mayor Wheeler) 10 minutes requested</p>	<p>No fiscal impact. The stipend for PCEEP committee members of \$120 per month is included in the FY 2018-19 Revised Budget of \$1,063,261 for the COCL/PCEEP program.</p>
<p>480</p>	<p>TIME CERTAIN: 4:10 PM – Revise residential solid waste and recycling collection rates and charges, effective July 1, 2019 (Previous Agenda 437; Ordinance introduced by Mayor Wheeler; amend Code Chapter 17.102) 20 minutes requested</p>	<p>Recycling collection rates and charges are proposed to increase by approximately 2% for FY 2019-20 due to inflation, and increased tipping fees for yard debris and food scraps. For 96% of customers, this equates to a \$0.60 increase. Additionally, yard debris and food scrap pick-up has increased by 16%. These changes impact the amount of revenue the bureau collects in franchise fee costs for administration of the program. For FY 2019-20 franchise fee revenue will increase by 1.2% or an additional \$39,900.</p>
<p><u>THURSDAY, 2:00 PM, MAY 23, 2019</u></p>		
<p>481</p>	<p>TIME CERTAIN: 2:00 PM – Amend the Comprehensive Plan Map and the Official Zoning Map to carry out the map amendments implementing the 82nd Avenue Study: Understanding Barriers to Development (Ordinance introduced by Mayor Wheeler) 1 hour requested for items 481 and 482</p>	<p>There is no direct fiscal impact associated with this ordinance; however, the bureau stated that the 82nd Avenue study and associated map changes lay the groundwork for future planning initiatives in the corridor in line with the 2035 Comprehensive Plan, which would require increased funding from the City. The amount and timeline of these costs are currently unknown.</p>

<p>482 Adopt the recommendations contained within the 82nd Avenue Plan (Resolution introduced by Commissioner Eudaly)</p>	<p>No immediate fiscal impact. Total plan cost is estimated in the millions, including enhanced crosswalks estimated at \$22.0 million (low confidence). Some smaller segments of this plan have funding sources identified and are scheduled to move forward in FY 2020-21, however, there is a large funding need to complete the work outlined in this plan. At this time, the bureau has not identified an ongoing maintenance plan or estimated costs. Lastly, PBOT plans to move forward with a jurisdictional transfer from ODOT as part of this project. An MOU between the two parties indicates that ODOT will work together to reach a shared understanding of the asset conditions, improvement needs and cost to bring the facility to a state of good repair in support of a jurisdictional transfer. Full costs to the City are unknown at this time.</p>
<p>483 TIME CERTAIN: 3:00 PM – Add Evaluation of Applicants for Dwelling Units to include renter protections in the form of screening criteria regulations (Second Reading Agenda 365; Ordinance introduced by Commissioner Eudaly; add Code Section 30.01.086) 2 hours requested for items 483 and 484</p>	<p>See below.</p>
<p>484 Add Security Deposits; Pre-paid Rent to include renter protections in the form of security deposit regulations (Second Reading Agenda 366; Ordinance introduced by Commissioner Eudaly; add Code Section 30.01.087)</p>	<p>See below.</p>

464 Amend permit fee schedules for building, electrical, land use services, mechanical, enforcement, plumbing, signs, site development, and land use services fee schedule for the Hearings Office

The proposed fee increases are expected to result in additional revenue in FY 2019-20 of about \$2.4 million above the estimated amount the Bureau of Development Services expects to collect this year. Specifically, the table below lists the estimated changes by program:

Program	Estimated Collection Increases	
	Percent	Dollar
Building Program	3%	\$ 727,000
Electrical Program	5%	\$ 368,000
Facility Permit Program	8%	\$ 374,000
Field Issuance Remodel Program	16%	\$ 226,000
Hearings Office Fees	5%	\$ 3,500
Land Use Services Program	0%	\$ (18,000)
Mechanical Program	5%	\$ 238,000
Neighborhood Inspections Program	5%	\$ 72,000
Plumbing Program	5%	\$ 332,000
Sign Program	5%	\$ 17,500
Site Development Program	5%	\$ 57,000

Estimated collection increases are aggregated. However, percentage change to individual fees may vary. The bureau's FY 2019-20 budget includes revenue from the fee increases proposed in this ordinance. As such the BDS budget is not amended.

471 Revise sewer and stormwater rates, charges and fees in accordance with the FY 2019-2020 Sewer User Rate Study

This annual ordinance establishes rates, charges and fees to generate sufficient revenue for projected expenditures in FY 2019-2020. Under these proposed rates, the typical single-family residential bill is expected to increase by \$2.17 per month or 2.95%. Increases to each individual customer and other customer classes may vary based on actual usage and circumstances. This rate ordinance will generate \$405 million in operating revenue to support the Mayor's FY 2019-2020 Proposed budget for the Bureau of Environmental Services. \$357 million of this estimate is from billed retail revenues for sanitary, stormwater and Superfund services. The proposed rate ordinance will enable the Bureau to continue collecting and treating wastewater from residences and businesses; managing stormwater to prevent erosion, flooding and water quality problems; operating the combined sewer overflow (CSO) system to prevent sewage overflows into the Willamette River and Columbia Slough; and repairing and replacing inadequate public sewer lines that cause sewage overflows and basement backups. The rate ordinance does not create costs or expenses to the City. This legislation does not specifically create or eliminate positions in future years. Future position decisions will be made by the Council within the annual budget process.

472 Amend fee schedules for tree permits

This ordinance increases development and non-development tree permitting and enforcement fees. These fee increases will increase cost recovery on development permits to 95% and non-development permits to 25%. Additional revenue of \$350,000 annually is anticipated from the increased fees. Urban Forestry will use the revenue to increase Title 11 compliance and decrease tree permit turnaround times.

474 Revise transportation fees, rates and charges for FY 2019-20, amend Transportation Fee Schedule and City Parking Garage Rates, and fix an effective date

The proposed revision to transportation fees reflects current market costs and/or to ensure cost recovery. The changes are reflected in the bureau's Approved Budget for FY 2019-20, where fee revenue totals \$107.9 million. This is a 1% increase budgeted from FY 2018-19 to 2019-20, or \$929,413 increase from the prior year's projected revenues, despite some fees increasing 8-11%. This is due to a change in forecast of projected volume of fees and revenue associated with collection rates.

PBOT indicates most cost-recovery fees are increasing between 8-11% due to the impact of COLA, benefits and overhead rate adjustments required to maintain cost recovery for programs. Remaining fees are increasing by smaller amounts or are remaining flat. Should Council not approve these changes, PBOT would need to identify a subsidy from another funding source or a reduction to current service levels for affected programs.

476 Authorize the rates and charges for water and water-related services beginning July 1, 2019 to June 30, 2020 and fix an effective date

Retail rates are expected to generate approximately \$170.3 million in water sales revenue in FY 2019-20. Retail customers are also expected to pay \$2.8 million in customer late charges. FY 2019-20 wholesale revenues will be \$21.0 million. Other rates and charges within this ordinance are expected to generate \$13.1 million for water-related services including system development charges, new service installations, customer requested new main connections, engineering permit fees, hydrant installation and usage, and miscellaneous utility charges. The proposed overall average effective retail rate increase is 7.4% in FY 2019-20. With a retail rate increase of 7.4%, the retail commodity rate will increase from \$4.890 to \$5.252, and the base charge will increase from \$44.37 to \$47.65 per bill (the billed base charge varies depending on the number of days in the billing period). The "typical" residential water customer using 5 hundred cubic feet (ccf) per month will now pay \$42.14, up 7.4% from the FY 2018-19 "typical" bill of \$39.24. The "medium" commercial customer using 100 ccf per month will see a water bill increase from \$533.37 to \$572.85; an increase of \$39.48 or 7.4%. Two tiers of fixed low-income discount for qualified single family quarterly billed residential water customers are included in the ordinance. The discount is 50% for a typical low-income customer bill and is \$63.20 for FY 2019-20. The discount is 80% for a typical extremely low income customer bill and is \$101.10 for FY 2019-20. All revenue and expenses are included in the FY 2019-20 Water Bureau Proposed Budget.

483 Add Evaluation of Applicants for Dwelling Units to include renter protections in the form of screening criteria regulations

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

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.

In the FY 2019-20 Requested Budget, the Portland Housing Bureau (OHB) estimated that implementation of the screening criteria and security deposit regulations as proposed at that time would require 2.0 additional FTE 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. The costs for implementing this specific program are not included in the current FY 2019-20 Approved Budget as filed.

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.

*Based on an estimated 126,000 total units; this does not factor in possible exemptions.