

**PORTLAND CITY COUNCIL AGENDA
City Hall - 1221 SW Fourth Avenue
WEDNESDAY, 9:30 AM, MAY 29, 2019**

TIMES CERTAIN

490 **TIME CERTAIN: 9:45 AM** – 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 (Second Reading Agenda 481; Ordinance introduced by Mayor Wheeler) 5 minutes requested

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.

***491** **TIME CERTAIN: 10:05 AM** – Amend the scope of the N Suttle Road Local Improvement District to extend sanitary sewer to serve developed property owned by Supreme Perlite Company, and extend the planned street, sidewalk and stormwater improvements to the west right-of-way line of N Suttle Rd to provide maintenance and emergency access to undeveloped property owned by the Port of Portland (Hearing; Ordinance introduced by Commissioner Eudaly; C-10058; amend Ordinance No. 187244) 15 minutes requested for items 491 and 492

Total revised project cost is \$9.5 million. The Ordinance approves the \$1.0 million increase for work to be performed. The increased funding is coming from increases to the LID and BES, SDCs, and HVUT. This project is budgeted in FY 2018-19 and FY 2019-20.

***492** Authorize the Bureau of Transportation to acquire certain permanent and temporary property rights necessary for construction of the N Suttle Road Local Improvement District Project through the exercise of the City's Eminent Domain Authority (Ordinance introduced by Commissioner Eudaly; C-10058)

Total project cost is \$9.5 million. PBOT has budgeted this project, and the estimated cost for issuing eminent domain (\$366,289) in FY 2018-19, and FY 2019-20.

CONSENT AGENDA – NO DISCUSSION

Mayor Ted Wheeler
Bureau of Planning & Sustainability

<p>493</p>	<p>Amend Restrictions on Single-Use Plastic Serviceware to extend effective date, clarify compostable plastics, fast food and electronic ordering, and exemptions (Ordinance; amend Code Sections 17.103.300-310)</p>	<p>This Ordinance amends City Code for restrictions on Single-use plastic serviceware. There are associated costs to the City for outreach and education of the Code changes. BPS states that these resources will come from the Solid Waste Management Fund current year budget (FY 2018-19) and FY 2019-20 budget, but will not require increased resources. The bureau plans to utilize its existing outreach channels regarding material and waste where possible. The full amount of associated costs is currently unknown, but is estimated to be at least \$28,500.</p>
<p style="text-align: center;">Commissioner Nick Fish Bureau of Environmental Services</p>		
<p>*494</p>	<p>Authorize the Bureau of Environmental Services to execute an easement amendment with North Clackamas Parks and Recreation District as part of the Luther Road Habitat Restoration Project No. E10854 (Ordinance)</p>	<p>There is no direct cost required of the City to execute the Easement Amendment with NCPRD other than staff labor to prepare the necessary documentation and negotiate the terms of the Easement Agreement with NCPRD.</p>
<p>*495</p>	<p>Authorize the Bureau of Environmental Services to reimburse the property owner at 6037 NE 32nd PI for sewer user fees paid to the City in the amount of \$3,879 (Ordinance)</p>	<p>This amount will be absorbed by available budgeted dollars and will not have any additional impact on bureau finances or assessed rates.</p>
<p style="text-align: center;">Parks & Recreation</p>		

<p>496</p>	<p>Authorize two-year grant agreements with seven youth-serving organizations in support of the Teen Collaborative Initiative not to exceed \$560,000 and per grant not to exceed \$80,000 (Ordinance)</p>	<p>This action approves funding for TeenForce program partners over two fiscal years. The funding for FY 2019-20 is included in the FY 2019-20 Approved budget. FY 2020-21 grant funds are subject to the availability of funds as determined through the annual budget process and subject to future Council decisions.</p>
<p>Commissioner Chloe Eudaly Bureau of Transportation</p>		
<p>*497</p>	<p>Authorize application to the Oregon Department of Transportation and Department of Land Conservation and Development for one Transportation and Growth Management program grant up to \$220,000 for land use and transportation planning (Ordinance)</p>	<p>Total program cost is \$250,000. This Ordinance authorizes PBOT to apply for a \$220,000 grant towards this project. \$30,000 in required local match would come from General Transportation Revenues (GTR) in the form of staff time for FY 2020-21, and FY 2021-22.</p>
<p>*498</p>	<p>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)</p>	<p>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.</p>
<p>*499</p>	<p>Authorize an Intergovernmental Agreement with Portland State University and provide matching funds in the amount of \$13,500 to support a pooled fund research project exploring data fusion techniques to derive bicycle volumes on a network (Ordinance)</p>	<p>This Ordinance authorizes PBOT to enter into an IGA with PSU for data research on bicycle transit. PBOT would provide \$13,500 in General Transportation Revenue (GTR) towards the total cost of \$200,000 for this project.</p>

<p>REGULAR AGENDA</p> <p>Mayor Ted Wheeler</p> <p>Bureau of Development Services</p>	
<p>500</p>	<p>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 464)</p>
<p>Office of Management and Finance</p>	
<p>501</p>	<p>Amend City Code to streamline the procurement and contracting process (Previous Agenda 468; amend Code Chapters 5.33, 5.34 and 5.68) 15 minutes requested</p>
<p>502</p>	<p>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 (Second Reading Agenda 469)</p>
	<p>See below.</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>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>503 Authorize eight grants for the Workforce Training and Hiring Program to local pre-apprenticeship programs with a total value of \$68,586 (Second Reading Agenda 454)</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 style="text-align: center;">Commissioner Nick Fish Parks & Recreation</p> <p>504 Amend fee schedules for tree permits (Second Reading Agenda 472)</p>		<p>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.</p>
<p style="text-align: center;">Commissioner Jo Ann Hardesty Portland Fire & Rescue</p>		

505 Amend fee schedule associated with Fire regulations (Second Reading Agenda 459; amend FIR-12.01)

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>Commissioner Chloe Eudaly</p> <p>Bureau of Transportation</p>		
<p>*506</p>	<p>Amend Ordinance to reference the overlapping streets of N Hampton Ave and N Kenton Blvd within the vacation area of N Hunt St (Ordinance; amend Ordinance No. 189319, VAC-10121)</p>	<p>Street vacation is a cost recovery program. In this case, Prosper Portland will pay PBOT an estimated \$15,000 to vacate the overlapping streets to allow for an affordable housing project. This project is budgeted in FY 2017-18 and FY 2018-19.</p>
<p>507</p>	<p>Revise transportation fees, rates and charges for FY 2019-20, amend Transportation Fee Schedule and City Parking Garage Rates, and fix an effective date (Second Reading Agenda 474; amend TRN 3.450 and Code Section 16.20.920)</p>	<p>See below.</p>
<p>Office of Community & Civic Life</p>		
<p>508</p>	<p>Authorize \$150,000 total in grant funds for the East Portland Action Plan 2019 Grant Program (Ordinance) 15 minutes requested</p>	<p>This Ordinance approves EPAP 2019 grant awards for \$150,000 total. These funds are currently budgeted in Special Appropriations after being transferred from Civic Life during this past Spring BMP.</p>
<p>509</p>	<p>Increase fee schedule for the Office of Community & Civic Life Noise Office for noise variance applications in the amount of 5% as permitted by Code Section 18.14.020.B (Ordinance) 15 minutes requested</p>	<p>This Ordinance approves Civic Life's proposed fee changes for the Noise Program. Rate changes range from a \$5.00 increase to a \$648.00 increase. Overall, fee rates are increasing by an average of 5% for FY 2019-20. However, the overall revenue projected and budgeted for FY 2019-20 reflects a 10% decrease in Noise fee revenue from FY 2018-19 to FY 2019-20 due to the estimated downward trend in construction, and therefore Noise permits. The 5% fee rate change is reflected in the bureau's FY 2019-20 budget.</p>
<p>Commissioner Amanda Fritz</p>		

<p>510 Amend the Open and Accountable Elections Program (Second Reading Agenda 475; amend Code Chapter 2.16)</p>	<p>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.</p>
<p><u>WEDNESDAY, 2:00 PM, MAY 29, 2019</u></p>	
<p>511 TIME CERTAIN: 2:00 PM – Revise residential solid waste and recycling collection rates and charges, effective July 1, 2019 (Previous Agenda 480; Ordinance introduced by Mayor Wheeler; amend Code Chapter 17.102) 30 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>WEDNESDAY, 6:00 PM, MAY 29, 2019</u> Location: City Hall – 1221 SW 4th Avenue</p>	
<p>512 TIME CERTAIN: 6:00 PM – Add Evaluation of Applicants for Dwelling Units to include renter protections in the form of screening criteria regulations (Previous Agenda 483; Ordinance introduced by Commissioner Eudaly; add Code Section 30.01.086) 2.5 hours requested for items 512 and 513</p>	<p>See below.</p>
<p>513 Add Security Deposits; Pre-paid Rent to include renter protections in the form of security deposit regulations (Previous Agenda 484; Ordinance introduced by Commissioner Eudaly; add Code Section 30.01.087)</p>	<p>See below.</p>

500 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

CBO Analysis:

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.

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

CBO Analysis:

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.

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

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.

In the FY 2019-20 Requested Budget, the Portland Housing Bureau (PHB) 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.

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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.