

<p align="center">PORTLAND CITY COUNCIL AGENDA City Hall - 1221 SW Fourth Avenue <u>WEDNESDAY, 9:30 AM, JUNE 5, 2019</u></p>		<p align="center">Disposition:</p>
<p align="center">TIMES CERTAIN</p>		
<p>519</p>	<p>TIME CERTAIN: 9:45 AM – Adopt Administrative Rules for Chapter 2.16 Open and Accountable Elections Program (Ordinance introduced by Commissioner Fritz) 25 minutes requested</p>	<p>The administrative rules for this program would set penalties up to \$10,000 for violating Open and Accountable Elections Code. Penalties would be collected into the OAE Fund (Fund 214). It is not possible at this time to forecast the number of penalties or the amount they would generate as this is a new program.</p>
<p>520</p>	<p>TIME CERTAIN: 10:15 AM – Adopt the Portland Parks and Recreation Integrated Pest Management policy to prohibit the use of Avitrol and other avicides on City-owned property and infrastructure (Resolution introduced by Commissioner Fish) 30 minutes requested</p>	<p>This ordinance will use the Integrated Pest Management program, currently maintained by PP&R to ban the use of avicides on city owned and managed properties. No fiscal impact related to adoption but implementation, monitoring, and/or enforcement could yield additional costs.</p>
<p>521</p>	<p>TIME CERTAIN: 10:45 AM – Accept the Build Portland 2019 Annual Update presentation and commend the multi-bureau partnership for advancing the Phase I projects in a timely and fiscally responsible manner (Resolution introduced by Mayor Wheeler) 15 minutes requested</p>	<p>No fiscal impact.</p>

CONSENT AGENDA – NO DISCUSSION		
Mayor Ted Wheeler		
522	Reappoint Mary Ann (Miki) Herman, Damien Hall and Matthew Gebhardt to the Home Forward Board of Commissioners (Resolution)	No fiscal impact.
Bureau of Development Services		
*523	Waive application of Title 33 Buffer Overlay Zone requirement to 2025 SE 82nd Ave to facilitate the relocation and alignment of an existing driveway in conjunction with construction of the SE 80th Avenue and Mill Street Local Improvement District (Ordinance; waive application of Code Section 33.410.040 C; C-10060)	No fiscal impact.
Bureau of Planning & Sustainability		
*524	Authorize application to Oregon Department of Transportation in the amount of \$150,000 for the Parkrose Neighborhood Center City project as part of the 2019 Transportation Demand Management Grant Program (Ordinance)	This ordinance authorizes an application to ODOT for a \$150,000 multi-year grant for the Parkrose Neighborhood Center City project. Associated costs to the City if the grant is awarded are estimated to be ~\$93,000; including a \$50,000 match from BPS' general fund base budget within the District Planning Program in FY 2019-20 and \$15,000 in FY 2020-21. The City will also pay \$18,000 as a match to ODOT from the District Planning program in FY 2019-20. Additional resources would be required for the implementation of the resulting Parkrose Neighborhood Center City Project; these costs are currently unknown.

<p>525 Amend Restrictions on Single-Use Plastic Serviceware to extend effective date, clarify compostable plastics, fast food and electronic ordering, and exemptions (Second Reading Agenda 493; 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>Office for Community Technology</p>	
<p>526 Grant a franchise to XO Communications Services, LLC for telecommunications services and facilities, for a period of 10 years (Ordinance)</p>	<p>The City will receive franchise fees of approximately \$619,619 per year for franchise fees, which will increase each year by CPI.</p>
<p>Office of Management and Finance</p>	
<p>*527 Pay bodily injury claim of David Merklin in the sum of \$30,000 resulting from a motor vehicle collision involving the Portland Police Bureau (Ordinance)</p>	<p>\$30,000 from the Insurance & Claims Operating Fund.</p>
<p>*528 Pay bodily injury lawsuit of Ramon McPherson in the sum of \$40,000 resulting from a motor vehicle collision involving the Portland Police Bureau (Ordinance)</p>	<p>\$40,000 from the Insurance & Claims Operating Fund.</p>
<p>*529 Pay property damage claim of Portland General Electric in the sum of \$5,700 resulting from a motor vehicle collision involving the Portland Bureau of Transportation (Ordinance)</p>	<p>\$5,700 from the Insurance & Claims Operating Fund.</p>
<p>*530 Pay property damage claims of Tim and Marianne Leipzig in the amount of \$28,445 resulting from a motor vehicle collision involving the Bureau of Development Services (Ordinance)</p>	<p>The total cost to the City is \$28,445, which will be paid out of the City's Insurance and Claims Fund.</p>

<p>531 Create three new represented classifications of Office Support Specialist Assistant, Maintenance Assistant, Maintenance Assistant-CL and establish an interim compensation rate for each classification (Ordinance)</p>	<p>There is no direct cost to create these new classifications. In FY 19-20 it is anticipated between 2-4 employees would utilize an Access to Work classification. OSSA positions would cost \$28,339 each, and Maintenance Assistant positions would cost \$27,996 each. In FY 20-21, it is anticipated that 5 new hires would be made for the first full Access to Work program year.</p>
<p>Portland Housing Bureau</p>	
<p>*532 Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Willis Apartments located at 1627 N Willis Blvd (Ordinance)</p>	<p>This action would result in estimated foregone property tax revenues to the City totaling \$7,767 over ten years for 2 units affordable at or below 60% MFI. Total cost to all jurisdictions forgoing revenue is estimated at \$23,534. The estimated value of the tax exemption for the first year is \$2,556 (all jurisdictions), which equals approximately \$1,278 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 \$1,700 application activation fee if the application moves forward.</p>
<p>Commissioner Nick Fish</p>	
<p>Bureau of Environmental Services</p>	
<p>*533 Authorize the Director of the Bureau of Environmental Services to execute certain easements needed for private sewer laterals (Ordinance)</p>	<p>There are no budgetary or fiscal impacts from this legislation.</p>

<p>*534 Authorize the Director of the Bureau of Environmental Services to execute certain lease documents with BNSF Railway needed for fire suppression maintenance (Ordinance)</p>	<p>The Annual cost of the lease is \$0 with annual increases of 0%. Not entering into the lease would result in costs for redesign of the project, permitting the new design and rebuilding certain new facilities that have already commenced.</p>
<p>Parks & Recreation</p>	
<p>*535 Amend contract with Passport Labs, Inc. to add funds not to exceed \$250,00 to provide mobile parking payment system services to Portland Parks & Recreation (Ordinance; amend Contract No. 30005152)</p>	<p>This Ordinance authorizes an amendment to the existing agreement with Passport Labs, Inc. PP&R will add \$250,000 over five years as the use of Parking Kitty in Washington Park was not anticipated in the contracted amount. Funding for this amendment will come from per transaction fees passed through from customers to the Washington Park parking sub fund.</p>
<p>Commissioner Chloe Eudaly</p>	
<p>Bureau of Transportation</p>	
<p>*536 Accept a \$13,460 grant from Metro and authorize Intergovernmental Agreement for South Waterfront Wayfinding enhancement (Ordinance)</p>	<p>Total project cost is \$15,000. This Ordinance authorizes PBOT to accept a \$13,460 grant for this project. The remaining \$1,540 match component will be provided by PBOT. This project is budgeted in FY 2018-19 and FY 2019-20.</p>

REGULAR AGENDA

Mayor Ted Wheeler

Office for Community Technology

537 Grant a 10-year franchise to New Cingular Wireless PCS, LLC for wireless communications services in the City (Second Reading Agenda 376)

AT&T has agreed to prepay \$1.25 million in two up-front payments for annual right-of-way and wireless permit fees for approximately one hundred fifty (150) small wireless facilities. Beyond the prepayment, AT&T has agreed to pay \$1,250 per year per small cell wireless facility and \$8,000 per year for macro wireless facilities. These rates are subject to an annual inflation escalator of 3%.

Office of Management and Finance

538 Accept bid of Just Bucket Excavating, Inc. for the N Greeley Avenue Multi-Use Path Project for \$1,334,193 (Procurement Report - Bid No. 00001196) 10 minutes requested

Total project cost is \$1.9 million and is budgeted in PBOTs budget for FY 2018-19 and FY 2019-20. Despite this bid being over the engineer's original estimate for construction, PBOT does not anticipate going over budget for this project at this time. Should costs continue to change, the bureau has stated it would have General Transportation Revenues (GTR) available to cover any costs above the estimated \$1.9 million project budget.

539 Accept bid of Keystone Contracting, Inc. for the Luther Road Restoration Project for \$1,827,000 (Procurement Report - Bid No. 00001204) 10 minutes requested

Based on bids received, BES anticipates the construction contract cost to be \$1,827,000. The engineer's estimate for this project was \$1,750,000 and the confidence level was High. BES conducted a bid analysis and determined that Funds are available in BES's WBS Element E10854.C60.

540	Amend the policy for the Minority Evaluator Program to increase the threshold for which it applies from \$150,000 to \$1,000,000 (Resolution; amend ADM-1.18) 10 minutes requested	No fiscal impact is anticipated.
541	Amend City Code to reflect current structure, operations, and responsibilities in the Office of Management and Finance (Ordinance; amend Code Chapter 3.15, and Code Sections 2.12.020, 3.02.060, and 3.18.010) 15 minutes requested	These are primarily housekeeping actions that will reflect organization and budgetary decisions that have already been made. No fiscal impact is anticipated.
542	Amend Transient Lodgings Tax Code related to the administration of short-term rental laws; require short-term rental platforms to either enter into a pass-through registration data-sharing agreement or choose listing locations from a Short-Term Rental Registry created by the City (Ordinance; amend Code Chapter 6.04) 30 minutes requested	This code amendment strengthens the City's regulations governing short-term rentals (e.g., AirBNB, VRBO, etc.). It is expected to ultimately reduce the number of available short-term rentals, but it is not clear what impact, if any, it will have on overall transient lodging tax collections. To the extent that there are lower collections from short-term rentals, the Housing Investment Fund would receive smaller transfers from the City's General Fund.
<p>Commissioner Nick Fish Bureau of Environmental Services</p>		<p>This legislation will cost the City the estimated \$1,827,000. Funding is available in the Sewer System Operating Fund, FY 2019-20 Budget, Bureau of Environmental Services, WBS Element E10854.C60. The estimate is a "project estimate," the level of confidence is high.</p>
*543	Amend Ordinance to authorize contract with the lowest responsible bidder and provide payment for construction of the Luther Road Restoration Project No. E10854 in the amount of \$1,827,000 (Ordinance; amend Ordinance No. 189430) 10 minutes requested	

Parks & Recreation		<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>
544	<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 (Second Reading Agenda 496)</p>	
Commissioner Chloe Eudaly Office of Community & Civic Life		<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>
545	<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 (Second Reading Agenda 509)</p>	
<u>WEDNESDAY, 2:00 PM, JUNE 5, 2019</u>		

JUNE 5 – 6, 2019

546

TIME CERTAIN: 2:00 PM – Adopt PedPDX, Portland’s Citywide Pedestrian Plan, a 20-year strategy to make Portland a great walking city for everyone (Resolution introduced by Commissioner Eudaly) 1.5 hours requested

No immediate fiscal impact. This Resolution adopts the plan, but is non-binding City policy. The plan discusses 13 strategies with 62 actions for improvement across Portland. The PedPDX plan estimates the need (3,520 marked crossings and 350 miles of missing sidewalks) as requiring more resources than the bureau has available over the next 20 years. The plan estimates a \$1.4 billion need for addressing sidewalk gaps alone. This is not the total estimated need of this plan.

JUNE 5 – 6, 2019

*547	TIME CERTAIN: 3:30 PM – Approve Mini Area Parking Permit Program to reduce requirements for initiating an Area Parking Permit Program (Ordinance introduced by Commissioner Eudaly) 30 minutes requested	The Mini Area Parking Permit Program (APPP) began in 2012, but experienced a low utilization rate. The public has asked PBOT to ease the requirements for an APPP. This Ordinance approves proposed changes through the creation of mini APPPs. The program would be capped at three mini APPPs per calendar year. The fee is set at \$75.00 for all APPPs; based on the information provided to CBO, as currently structured, program costs are estimated to exceed revenues by approximately \$159,552 for FY 2018-19. The bureau intends to review this program annually to assess cost recovery, with the expectation that some General Transportation Revenue may be required to subsidize the program. After one year, the mini APPPs will be reviewed for future code changes, and/or fee adjustments as needed to accommodate a wider implementation and possible lifting of the current proposed annual cap.
*548	TIME CERTAIN: 4:00 PM – Authorize settlement agreement and memorandum of understanding with Portland Fire Fighters Association to settle a retroactive pay grievance and tort claim and allow for the City to make payments totaling \$53,495 to certain former and current bargaining unit members (Ordinance introduced by Commissioner Hardesty) 15 minutes requested	The amount laid out in the ordinance represent wage costs that will hit the Fire Bureau’s payroll. The Fire Bureau will absorb this amount within its existing Personnel Services budget.
<u>THURSDAY, 2:00 PM, JUNE 6, 2019</u>		
549	TIME CERTAIN: 2:00 PM – Accept the 2019 Annual Report on Sister City Activities (Report introduced by Mayor Wheeler) 45 minutes requested	No fiscal impact.