

**PORTLAND CITY COUNCIL AGENDA
 City Hall - 1221 SW Fourth Avenue
WEDNESDAY, 9:30 AM, AUGUST 28, 2019**

Disposition:

COMMUNICATIONS

CONSENT AGENDA – NO DISCUSSION

797 Authorize the Commissioners-in-Charge of the Bureau of Environmental Services and the Portland Water Bureau to renew an agreement with the Citizens' Utility Board of Oregon for a term of five years to provide an independent review of City utility bureaus on behalf of residential ratepayers (Resolution introduced by Commissioners Fish and Fritz)

The terms of the agreement require the inclusion of a billing insert to inform residential customers of CUB's work. \$10,848 in General Fund resources are included in Special Appropriations in the FY 2019-20 budget to fund this insert. Other potential costs associated with the agreement are indirect in nature, such as staff time to connect with and provide information to the CUB.

Mayor Ted Wheeler

Bureau of Planning & Sustainability

798 Authorize the Bureau of Planning and Sustainability to contract with Neighborhoods West-Northwest Review Board and Southeast Uplift Neighborhood Program, Inc. for community groups to perform Community Collection Events for FY 2019-20 at a total cost of \$15,205 (Ordinance)

This Ordinance authorizes a not-to-exceed amount of \$15,205 one-year grant agreement between the City and two District Coalition Offices to support Community Collection Events. Resources are appropriated in BPS' FY 2019-20 Adopted Budget in the Solid Waste Management Fund. BPS staff also provide technical assistance for these events. This agreement replaces contracts that were in place since 2010 that closed June 2019, allowing BPS to make any changes needed in future years. An IGA with Metro also partially funds Collection Events, with an additional

AUGUST 28-29, 2019

City contribution of \$16,000 in FY 2019-2020.

Office of Management and Finance

***799** Amend contract with Convergence Architecture to provide additional architect/engineer services for the 1900 Building Restroom Upgrade Project in the amount of \$15,375 (Ordinance; amend Contract No. 30005465)

This ordinance amends the contract with Convergence Architecture, increasing the contract amount by \$15,375. The new total contract shall not exceed \$227,625. There is sufficient funding in the 1900 Building restroom renovation, however the FY 2019-20 budget will need to be amended in the Fall BMP to carryover funds from FY 2018-19 for this project.

*800 Authorize charitable organizations eligible to participate in the City's 2020 Charitable Campaign and authorize exemptions for charities not meeting the 25% overhead cost cap requirement (Ordinance)	There are no direct fiscal impacts from accepting this ordinance; administrative costs associated with the Charitable Campaign, such as staff time, are budgeted in the OMF Business Operations budget and reimbursed by participating charities.
*801 Pay property damage claim of Travis Brake in the sum of \$8,474 resulting from a motor vehicle collision involving Portland Fire & Rescue (Ordinance)	The total cost to the City to settle the claim is \$8,474. The Insurance and Claims Fund is the funding source. This ordinance does not amend the budget.
*802 Pay property damage claim of Mary Carr in the sum of \$10,637 involving the Portland Water Bureau (Ordinance)	The total cost to the City to settle the claim is \$10,637. The Insurance and Claims Fund is the funding source. This ordinance does not amend the budget.
*803 Pay property damage claim of Amanda Denson in the sum of \$13,721 resulting from a motor vehicle collision involving the Portland Police Bureau (Ordinance)	The total cost to the City to settle the claim is \$13,721. The Insurance and Claims Fund is the funding source. This ordinance does not amend the budget.
*804 Pay bodily injury claim of Marie Baker in the sum of \$41,209 resulting from a motor vehicle collision involving the Portland Bureau of Transportation (Ordinance)	The total cost to the City to settle the claim is \$41,209. The Insurance and Claims Fund is the funding source. This ordinance does not amend the budget.
805 Create a new represented classification of Facilities Worker and establish an interim compensation rate for this classification (Ordinance)	Six positions will be reclassified to the new classification including two Utility Worker II's and four Utility Worker I's. Interim compensation rates were based on Utility Worker II compensation. There is no cost impact for the Facility Workers that were Utility Worker II's because the pay scale is the same. For the four Facility Utility I's that are reclassified, there would be a \$1.96 per hour or \$4,077 per year increase for each of the four positions. These positions are funded through interagency rates. The total cost of \$16,308 for all four positions would be covered under the Facilities target rate budget by reducing other costs. As such, there would be no increase to overall Facilities

	interagency rates.
<p style="text-align: center;">Commissioner Chloe Eudaly</p> <p style="text-align: center;">Bureau of Transportation</p> <p>*806 Accept a grant in the amount of \$2 million from Prosper Portland to construct street, sidewalk and stormwater improvements to NE Couch St from NE 97th Ave to NE 99th Ave and to NE Davis St from NE 97th Ave to NE 100th Ave and authorize the Director of the Portland Bureau of Transportation to execute an Intergovernmental Agreement (Ordinance)</p>	<p>Total project cost is low confidence estimated at \$7.83 million. This Ordinance authorizes PBOT to accept a \$2.0 million grant from Prosper Portland for design and construction of this project. The local improvement district Ordinance will come to Council in December 2019 for approval, and will be added to the bureau's five-year capital improvement plan in the FY 2019-20 Spring BMP. This Ordinance does amend PBOT's FY 2019-20 budget within the Grants Fund for the \$2.0 million grant. The bureau plans to fully expend this grant in FY 2019-20, therefore the full amount is being appropriated through this Ordinance.</p>
<p>*807 Amend Intergovernmental Agreement with the Oregon Department of Transportation for the East Portland Active Transportation to Transit Project to update scope, schedule and budget information, state and local agency grant responsibilities and staff contact information (Ordinance; amend Contract No. 30003175)</p>	<p>This Ordinance amends the IGA with ODOT for the East Portland Active Transportation to Transit Project. Changes include scope, language, schedule and budget. The changes to the budget reflect a revised estimated project cost up from \$4.47 million to \$6.18 million. The estimated total project cost is included in the bureau's five-year capital improvement plan and Adopted Budget for FY 2019-20.</p>
<p>*808 Accept a grant in the amount of \$80,000 from Metro, authorize Intergovernmental Agreement for Regional Travel Options Safe Routes to School program in Parkrose School District, and appropriate \$27,000 in FY 2019-20 (Ordinance)</p>	<p>This Ordinance authorizes PBOT to accept an \$80,000 grant from Metro for the Parkrose School District Safe Routes to School project, and amend the FY 2019-20 budget by appropriating \$27,000 (within the Grants Fund) of the grant amount.</p>

<p>*809 Accept grant in the amount of \$945,000, authorize an Intergovernmental Agreement with Metro to provide more travel options, increase use of active transportation options and decrease vehicle miles traveled through Regional Travel Options programming, and appropriate \$341,667 in FY 2019-20 (Ordinance)</p>	<p>This Ordinance authorizes PBOT to accept an \$945,000 grant from Metro for the Smart Trips, Connected Communities project, and amend the FY 2019-20 budget by appropriating \$341,667 (within the Grants Fund) of the grant amount.</p>
<p>Commissioner Nick Fish</p> <p>Parks & Recreation</p>	
<p>810 Extend Management Agreement with Kemper Sports Management, Inc. for Heron Lakes Golf Course for an additional 24 months, increase the management fee, and add funds for the management fee and operating expenses for the extension period, for a new not-to-exceed amount of \$7,307,912 (Ordinance; amend Contract No. 30006422)</p>	<p>See Below.</p>
<p>REGULAR AGENDA</p>	
<p>Bureau of Police</p>	
<p>812 Extend Intergovernmental Agreement with Home Forward through September 30, 2022 to continue to provide patrol services at the New Columbia housing sites (Ordinance; amend Contract No. 30002975) 15 minutes requested</p>	<p>This ordinance extends the intergovernmental agreement with Home Forward through September 30, 2022. Funding for these services are currently budgeted as an ongoing appropriation in the Police Bureau budget.</p>
<p>City Attorney</p>	
<p>*813 Amend Police Review Board Code to clarify that a Citizen Review Committee member will sit on the Police Review Board as an additional community member in all cases that go before the Board that involve use of force (Ordinance; amend Code Section 3.20.140) 20 minutes requested</p>	<p>No fiscal impact.</p>
<p>Office of Community Technology</p>	
<p>814 Revoke franchise granted to Lucid Energy, Inc. for a renewal energy project in conjunction with the Water bureau for a period of 20 years (Second Reading Agenda 783)</p>	<p>This ordinance will lead to the City losing \$1,000 per year in franchise fees. However, City staff recommend City Council revoke the franchise. Lucid Energy filed authorization for dissolution with the State of Oregon in December of 2018. Section 13.1 (F) of Lucid Energy's franchise states that the City may revoke the franchise after Lucid 's insolvency or other similar action or proceeding.</p>

<p style="text-align: center;">Office of Management and Finance</p> <p>815 Authorize contract with Bio-Med Testing, Inc. for drug, alcohol and steroid testing services for an amount not to exceed \$1,244,150 (Second Reading Agenda 785)</p>	<p>This ordinance extends the current contract with Bio-Med Testing, who the City currently contracts with to conduct all drug and alcohol testing in alignment with the City's Drug Testing Program and policies. The current contract expires on September 30, 2019. The not to exceed amount of \$1,244,159 covers a 5-year contract. The Bureau of Human Resources administers the program, with costs incurred by each bureau as services are rendered. Bureaus pay for these costs out of their existing budgets.</p>
<p style="text-align: center;">Commissioner Chloe Eudaly</p> <p style="text-align: center;">Bureau of Transportation</p> <p>*816 Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the Safer Access to Bus Shelters project, through the exercise of the City's Eminent Domain Authority (Ordinance)</p>	<p>Total project cost is estimated at \$220,690 and is budgeted in the bureau's FY 2019-20 budget. This Ordinance authorizes PBOT to exercise the City's eminent domain authority. Property values have not yet been quantified, but the bureau has set aside \$10,000 for this portion of the project.</p>
<p style="text-align: center;">Commissioner Amanda Fritz</p> <p>*817 Amend the Open and Accountable Elections program to clarify cap on in-kind donations and reporting requirements (Ordinance; amend Code Sections 2.16.040 and 2.16.140)</p>	<p>This ordinance includes several amendments, one decreases the in-kind support for campaigns; another clarifies reporting requirements for candidates. These changes are not expected to affect candidate eligibility for funds, nor the City's budget for the program. Five candidates have filed a Notice of Intent to participate in the Open and Accountable elections program. The City has not distributed any funding to campaigns to date.</p>
<p style="text-align: center;">Commissioner Nick Fish</p>	

<p>818 Amend Parks & Recreation System Development Charge to clarify the eligibility of projects that expand capacity by increasing access to parks and recreation experiences, and add arts capacity projects to the Capital Improvement Plan to improve community access to arts and culture (Ordinance; amend Code Section 17.13.110 and Ordinance No. 187770) 15 minutes requested</p>	<p>See Below.</p>
<p>Bureau of Environmental Services</p>	
<p>819 Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the SE Claybourne Street at SE 135th Avenue Sanitary Sewer Extension Project No. 10873, for an estimated cost of \$3,148,000 (Ordinance) 10 minutes requested</p>	<p>Total project cost is estimated (with high confidence) at \$3,148,000 and is budgeted in the bureau's FY 2019-20 adopted budget. This is a multi-year project, therefore additional expenses will be budgeted in FY 2020-21.</p>
<p>Parks & Recreation</p>	
<p>*820 Authorize an Intergovernmental Agreement with Portland State University Northwest Economic Research Center to provide research for new revenue options for an amount not to exceed \$75,000 (Ordinance)</p>	<p>This agreement with PSU is for a 24-month revenue study (retroactive to August 12, 2019) on revenue generating options available to PP&R to support financial sustainability planning. Funding for this study is already included in the PP&R FY 2019-20 Adopted budget as the bureau will use resources carried over from PP&R FY 2018-19 budget for critical planning efforts.</p>

810 Extend Management Agreement with Kemper Sports Management, Inc. for Heron Lakes Golf Course for an additional 24 months, increase the management fee, and add funds for the management fee and operating expenses for the extension period, for a new not-to- exceed amount of \$7,307,912 (Ordinance; amend Contract No. 30006422)

CBO Analysis

This ordinance will extend the existing management agreement with Kemper Sports for management operations at Heron Lake Golf Course for two years through October 31st, 2021. In addition to the 24-month increase in the contract term, this ordinance will increase the fixed monthly management fee by 3%, raising the monthly payment to Kemper Sports Management from \$19,600 to \$20,188 (equating to a total increased payment of \$14,112 over two years). Under the extended term, the Agreement increases the total not to exceed contracted amount by \$4,484,512 to 7,307,912. This increase includes \$4,000,000 in reimbursement for operating expenses and \$484,512 for the 24 months of management fees.

The funding source for this amendment is the Golf Operating Budget and will not amend the budget.

818 Amend Parks & Recreation System Development Charge to clarify the eligibility of projects that expand capacity by increasing access to parks and recreation experiences, and add arts capacity projects to the Capital Improvement Plan to improve community access to arts and culture (Ordinance; amend Code Section 17.13.110 and Ordinance No. 187770) 15 minutes requested

CBO Analysis

This ordinance would amend City Code subsection 17.13.110 A.10 and amend the SDC code and SDC-CIP list so that these types of capacity-increasing projects could be an eligible use of SDC dollars. These amendments

will have no immediate fiscal impact; however, increasing eligible uses can lead to greater expenditures of available SDC resources.

NOTE: "Time Certain" indicates that an item will not be heard by Council **prior** to the time specified.

Communications items are three minutes each. Regular Agenda items taking longer than five minutes have the time estimate noted next to the item.

The * indicates an emergency ordinance, which takes effect immediately if passed. Non-emergency ordinances require two readings and a 30-day waiting period before taking effect. Resolutions, reports, etc., adopted by Council are effective after adjournment.

The above summary is published by the City Auditor as provided by Section 2-113 of the Charter and Ordinance No. 130672.

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Mary Hull Caballero
Auditor of the City of Portland

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Testimony is taken on Resolutions and Ordinances (first reading). To testify, sign up on a testimony sheet as you enter Council Chambers on the day of the meeting. Individuals have 3 minutes to testify, unless otherwise stated at the meeting. Testimony is not taken on Communications, Second Readings, Proclamations or Presentations in accordance with Code 3.02.040 F. and G. Testimony will be taken on Reports at the Presiding Officer's determination (Code 3.02.040 G.5).

Written testimony may be emailed or mailed to the Council Clerk prior to the meeting.

To schedule a Communication, email or mail your request to the Council Clerk. Include your name, address, phone number and a brief description of the subject you will be addressing. For full details, see Testimony Policies and procedures. <http://www.portlandonline.com/auditor/index.cfm?&a=63123&c=34447>

Clerk Email: karla.moore-love@portlandoregon.gov
Council Clerk Testimony: cctestimony@portlandoregon.gov
US Mail: Council Clerk, 1221 SW Fourth Ave., Room 130, Portland OR 97204

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Declaration Required by Lobbyists. Portland City Code 2.12.060 states: Prior to offering public testimony before City officials, at the beginning of any meetings or phone calls with City officials, or in emails and letters to City officials, a lobbyist must declare which lobbying entity he or she is authorized to represent for that communication.

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