

<b>PORTLAND CITY COUNCIL AGENDA</b> <b>City Hall - 1221 SW Fourth Avenue</b> <b><u>WEDNESDAY, 9:30 AM, NOVEMBER 20, 2019</u></b>		<b>Disposition:</b>
<b>TIMES CERTAIN</b>		
<b>1059</b>	<b>TIME CERTAIN: 9:45 AM</b> – Authorize the Second Amended and Restated Visitor Facilities Intergovernmental Agreement with Multnomah County and Metro (Ordinance introduced by Mayor Wheeler) 30 minutes requested	See below.
<b>1060</b>	<b>TIME CERTAIN: 10:50 AM</b> – Proclaim the year 2019 to be the 150 <sup>th</sup> Anniversary of the Completion of the Transcontinental Railroad (Proclamation introduced by Mayor Wheeler) 30 minutes requested	No fiscal impact.
<b>1061</b>	<b>TIME CERTAIN: 11:20 AM</b> – Update bicycle parking regulations and amend fee schedule for Land Use Services (Previous agenda 1048; Ordinance introduced by Mayor Wheeler; amend Title 33, Planning and Zoning) 15 minutes requested for items 1061 and 1062	See below.
<b>1062</b>	Establish standards for bicycle parking for certain City funded affordable housing projects designed but not yet permitted (Previous Agenda 1049; Ordinance introduced by Commissioner Eudaly)	See below.

<b>CONSENT AGENDA – NO DISCUSSION</b>		
<b>Mayor Ted Wheeler</b>		
<b>1063</b>	Reappoint Catherine MacLeod to the Fire and Police Disability and Retirement Board of Trustees for a term to expire December 31, 2022 (Resolution)	No fiscal impact.
<b>Bureau of Planning &amp; Sustainability</b>		
<b>*1064</b>	Authorize an Intergovernmental Agreement with the State of Oregon to receive Quarterly Census of Employment and Wages data from the State Employment Department (Ordinance)	No fiscal impact. Under the proposed intergovernmental agreement (IGA) the State will provide the confidential business data at no cost to the City. BPS will administer the proposed IGA with the State to request GIS data from Metro or Portland Prosper to incorporate into planning efforts and to improve the City's commercial recycling and waste prevention programs, but does not expect it to affect current bureau staffing costs.
<b>Office of Management and Finance</b>		
<b>*1065</b>	Amend contract with Cello Partners dba Verizon Wireless to provide wireless services for an additional five-year term and increase the not to exceed value by \$17,500,000 for a new not to exceed total of \$26,800,000 (Ordinance; amend Contract No. 30005631)	BTS has appropriation in their FY 2019-20 budget to cover the first year of anticipated expense associated with this action. City bureaus are increasing their use of cellular devices. Costs for this service are passed through interagency agreements with bureaus; bureaus with wireless devices will need to incorporate costs for these devices into their budgets through FY 2023-24.
<b>*1066</b>	Amend contract with Environmental Systems Research Institute, Inc. for Geographic Information System Software to increase it by \$37,275 for a not to exceed total of \$2,361,275 (Ordinance; amend Contract No. 30004099)	BTS has appropriation in its FY 2019-20 budget to cover the anticipated expense. There are no long term impacts.

<p><b>*1067</b> Authorize a two-year lease extension with American Property Management for office space at 305 NE 102nd Ave through November 2021 at an average annual cost of \$92,053 for Portland Parks and Recreations Citywide Recreation team (Ordinance; amend Contract No. 30005619)</p>	<p>The average annual cost increase of the lease extension is approximately \$17,000. The cost of space rent is built into the Portland Parks and Recreations' bureau-wide administrative space rental budget and can be absorbed within existing resources.</p>
<p><b>*1068</b> Pay attorney's fees settlement from Masonry Building Owners of Oregon et al. litigation in the sum of \$350,000 involving the Bureau of Development Services and the Bureau of Emergency Management (Ordinance)</p>	<p>Total cost to the City is \$350,000. The source of funding is the City's Insurance and Claims Fund. All costs of the settlement is in the current fiscal year.</p>
<p><b>*1069</b> Pay property damage claim of Portland State University in the sum of \$49,580 involving the Portland Bureau of Transportation (Ordinance)</p>	<p>Total cost to the City is \$49,580. The source of funding is the City's Insurance and Claims Fund. All costs of the settlement is in the current fiscal year.</p>

<b>Commissioner Chloe Eudaly</b> <b>Bureau of Transportation</b>		
<b>*1070</b>	Accept a grant in the amount of \$3,120,000 from the Oregon Department of Transportation and authorize an Intergovernmental Agreement for the Jade and Montville Multimodal Improvements Project (Ordinance)	Total project cost is \$7.1 million, and is included in the bureau's FY 2019-20 budget. The bureau is over matching on this project because there are additional unfunded costs, and no other resource to cover these costs. The bureau has not quantified the ongoing maintenance costs associated with this project at this time.
<b>*1071</b>	Authorize a contract with the lowest responsible bidder for the SE 52nd and Woodstock Traffic Signal Replacement Project (Ordinance)	Total project cost is \$960,000 and is funded via General Fund Capital Set Aside. This project is included in the bureau's FY 2019-20 budget. Ongoing maintenance costs are not quantified by the bureau at this time.
<b>Commissioner Jo Ann Hardesty</b> <b>Portland Bureau of Emergency Management</b>		
<b>1072</b>	Accept a FY 2019 State Homeland Security Program grant in the amount of \$31,157 from the Oregon Department of Emergency Management to enhance emergency preparedness by providing emergency equipment to assist vulnerable Portlanders in the event of a disaster (Ordinance)	This Ordinance amends budget appropriations for the Portland Bureau of Emergency Management by accepting the State Homeland Security Program grant by the grant amount of \$31,157 for FY 2019-20.

<p><b>REGULAR AGENDA</b></p> <p><b>Mayor Ted Wheeler</b></p> <p><b>Bureau of Development Services</b></p>		
<p><b>*1073</b></p>	<p>Extend the allowed temporary activity timeframe for a mobility hub at SE 8th Ave and SE Stark St from an allowed 2 weeks and allow limited new development until June 30, 2021 (Ordinance; waive or modify requirements of 33.140 Employment and Industrial Zones, 33.296 Temporary Activities and 33.510 Central City Plan District) 20 minutes requested</p>	<p>The proposed ordinance does not result in a permanent legislative action and should not result in City-incurred financial or budgetary impacts; instead it remedies a Portland Zoning Code requirement that the mobility hub must receive approval through a land use review process.</p>
<p><b>Bureau of Police</b></p>		
<p><b>*1074</b></p>	<p>Authorize a \$377,097 U.S. Department of Justice law enforcement and criminal justice community grant agreement and appropriate \$100,000 in law enforcement and criminal justice funds for FY 2019-20 (Ordinance) 20 minutes requested</p>	<p>This action will increase the Police Bureau's Grant Fund appropriation by \$100,000 for Fiscal Year 2019-20. There is no match required by this grant. Separate Intergovernmental Agreements will be executed with the City of Gresham and Multnomah County in order to obligate agency roles and responsibilities.</p>
<p><b>1075</b></p>	<p>Authorize two traffic enforcement grants totaling \$50,811 from the State of Oregon's Traffic Safety Division 2020 grant programs for sworn personnel overtime reimbursement and authorize future Traffic Safety Division grant program agreements (Ordinance) 20 minutes requested</p>	<p>ODOT will reimburse the City for overtime expenses for the Traffic Division officers and sergeants assigned to activities authorized by the grant awards, not to exceed \$50,811 by September 30, 2020. Local match is required in the amount of 25% of the amount awarded for these grant programs, which equals \$12,703 and will be provided from existing bureau resources.</p>

<b>Office of Management and Finance</b>		
<b>1076</b>	Assess properties for sidewalk, curb and/or driveway repair for the Portland Bureau of Transportation (Hearing; Ordinance; Y1100) 15 minutes requested	This Ordinance assesses properties for sidewalk repair by the Portland Bureau of Transportation. The cost of doing said repair or construction work plus a fee for administrative expenses will be assessed upon the properties, in the amount of \$408,632.17. This legislation will generate current revenue coming to the City. It will increase Lien Revenues in the Transportation Operating Fund by \$408,632.17.
<b>1077</b>	Amend Revenue and Finance Code to streamline the procurement and contracting process (Second Reading Agenda 1045; amend Code Chapter 5.33, 5.34 and 5.68)	This Ordinance amends three chapters of the City's Revenue and Financial Code in order to streamline the procurement and contracting process. There is no direct fiscal impact from these changes; however, the bureau believes that the revisions included will enable bureaus to execute contracts in a more streamlined manner and accomplish work more efficiently
<b>Commissioner Chloe Eudaly</b> <b>Bureau of Transportation</b>		
<b>*1078</b>	Accept a grant in the amount of \$3,140,000 from TriMed and authorize Intergovernmental Agreement for Central City in Motion projects improving transit speed and reliability (Ordinance) 15 minutes requested	Total project cost is \$3.1 million. TriMet is covering the full costs of these projects, but PBOT is responsible for the increased ongoing maintenance costs associated with these projects. Maintenance costs are not quantified, not included in the bureau's financial plans, and will result in increased maintenance costs.
<b>Commissioner Amanda Fritz</b> <b>Water Bureau</b>		

<p><b>1079</b> Adopt a set of priority values, expectations, and the Recommended Option to guide the design and implementation of the City of Portland’s Bull Run Filtration Projects (Previous Agenda 1046) 30 minutes requested for items 1079 and 1080</p>	<p>Water Bureau leaders provided an estimate for the current Recommended Option (the option proposed in this Resolution) at \$820 million dollars with an accuracy range of -30% to +50% (\$574 million to \$1.230 billion estimate range). These estimates do not include the additional interest costs associated with debt financing for the project. The preliminary estimate for operating and maintenance costs of the Recommended Option is \$13.5 million per year; there are current staff and treatment costs in the Water Bureau budget, so the additional cost related to corrosion control and filtration is estimated at \$10.75 million above the currently funded cost of approximately \$2.75 million.</p>
<p><b>1080</b> Authorize a contract with Stantec Consulting Services, Inc. for design services for the Bull Run Filtration Project in the amount of \$51 million (Previous Agenda 1047)</p>	<p>This would approve a contract of \$51 million in consulting costs over the next 10 years. The bureau states that the necessary initial FY 2019-20 funds are available in the current year budget, and that subsequent required funds will be requested as part of budget development over the next 9 years.</p>
<p align="center"><b>Commissioner Nick Fish</b> <b>Bureau of Environmental Services</b></p>	

<p><b>1081</b> Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Arbor Lodge - Kenton Sewer Rehabilitation Project No. E10978, for an estimated cost of \$5,350,000 (Ordinance) 10 minutes requested</p>	<p>The proposed project estimate of \$5,350,000 has been assigned a high confidence level. This project is part of BES's Large Scale Sewer Rehabilitation Program, which is funded through FY 2020-21. Specifically, the project is a secondary project under the Phase III Pipe Rehab primary project, with a FY 2019-20 budget of \$16.2 million and an expected completion date of July 2021.</p>
<p><b><u>WEDNESDAY, 2:00 PM, NOVEMBER 20, 2019</u></b></p>	
<p><b>*1082</b> <b>TIME CERTAIN: 2:00 PM</b> – Readopt remanded Ordinance No. 188142 to restrict bulk fossil fuel terminals (Ordinance introduced by Mayor Wheeler; amend Title 33, Planning and Zoning) 3 hours requested</p>	<p>This Ordinance readopts Zoning Code amendments that create a new land use category with development standards that limit the size of new bulk fossil fuel terminals and prohibit the expansion of existing terminals. There are no direct fiscal impacts to this ordinance; however, the bureau states that this legislation will require staff time to defend an expected appeal of this ordinance and on-going monitoring of development permits associated with the existing fossil fuel terminals. Expected FTE and associated costs are currently unknown, but the bureau expects them to be absorbed in the bureau's base budget. There are also currently unknown expected effects on a limited amount of businesses that fall into the category "Bulk Fossil Fuel Terminals."</p>

<b><u>THURSDAY, 2:00 PM, NOVEMBER 21, 2019</u></b>		
<b>1083</b>	<b>TIME CERTAIN: 2:00 PM</b> – Portland Street Response – Pilot Implementation Plan (Report introduced by Commissioner Hardesty) 1.5 hours requested.	See below.
<b>1084</b>	<b>TIME CERTAIN: 3:30 PM</b> – Appoint Ahmed Al subsidy, Mohamad Bader, Blanca Gaytan Far fan, Bernal Cruz Muñoz, and Salome Nanyang to the New Portlanders Policy Commission for terms to expire November 21, 2022 (Report introduced by Mayor Wheeler) 15 minutes requested.	No fiscal impact.
<b>1085</b>	<b>TIME CERTAIN: 3:45 PM</b> – Amend the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Title 33-Planning and Zoning, Title 18-Noise Control, Title 32-Signs and Related Regulations to revise the Multi-Dwelling Residential designations and base zones (Previous Agenda 1026; Ordinance introduced by Mayor Wheeler; amend Code Title 33, and Code Title 18 and 32) 1 hour requested.	See below.

**1059 Authorize the Second Amended and Restated Visitor Facilities Intergovernmental Agreement with Multnomah County and Metro**

CBO Analysis

The Second Amended and Restated Visitor Facilities Intergovernmental Agreement (VF IGA) was negotiated between the City, the County and Metro under the direction of a Letter of Agreement (LOA) signed by the Mayor, the Chair and the Metro Council President in March 2018.

The existing VF IGA was originally established to support the expansion of the Convention Center, and later amended to support financing for the stadium and the Convention Center hotel. The IGA also provides operational support for the Convention Center, Rose Quarter, and other visitor facilities. The funding source into this trust is set at 2.5% of the Transient Lodging Tax and the Motor Vehicle Rental tax. In FY 2018-19, total revenue was approximately \$24 million.

With debt retiring and revenues growing, there is additional capacity to support both debt service and operational support costs. The amended agreement directs new investment in several areas of benefit to the City, especially the Veteran’s Memorial Coliseum and P’5, makes investments in the tourism industry and directs resources to the County for homelessness services.

This Ordinance does not amend the City’s FY 2019-20 budget. Revenues to the Spectator Venues and Visitor Activities Fund will increase in FY 2028-29 and revenues to cover bonds for the Veterans Memorial Coliseum and P’5 projects will be received if debt obligations are issued by the City.

There are no new direct costs to the City as a result of this legislation. The amendments to the VFIGA do not increase the City’s previous commitments to P’5. Financial oversight by the FRT (Financial Review Team) and other protective language in the amendments keeps the City’s exposure on the City Bonds paid for by VF IGA resources at a level like that under the current Agreement.

In addition, a new ongoing allocation of up to \$250,000 per year is established to pay for proportional costs associated with implementation of the City’s new Integrated Tax System. This system is required to collect the funds supporting the purposes of this agreement.

**1061 Update bicycle parking regulations and amend fee schedule for Land Use Services**

CBO Analysis

This Ordinance amends the City’s Zoning Code to update existing requirements for bicycle parking

to ensure new construction provides bicycle parking and amends the fee schedule for Land Use Services. The Bicycle Parking Code Update results in more complex code, thereby increasing expected plan review workload and associated expenses. BDS has determined an increase to the Land Use Services Fee Schedule. Additional details on the fiscal impacts are as follows:

**Impacts to BDS:**

BDS identified several aspects of the recommended regulations that may impact staff time and costs. Educating applicants on the bike parking requirements will initially add more time to each customer interaction after implementation and may create a one-time cost of \$42,000. BDS estimates that the cumulative effect of the new regulations could add as much as two hours to some permit reviews and cost the bureau an additional \$156,000 per year.

**Impacts to BDS's customers:**

BDS customers will be impacted by the 5% change in land use services fees. This would translate into an 11-cent increase in the land use fee per \$1,000 of permit valuation. For a typical 4-6 story apartment building, this means a \$462 to \$693 increase. Most projects are much smaller in valuation than a 4-6 story apartment. For the average project the proposed change would result in a less than \$50 increase to project fees.

In addition, the proposed changes could both increase or decrease the number of Adjustments or other land use reviews that customers may need to apply for. There could be a reduction in Adjustments/Modifications related to bike parking dimensions. With the proposed new standards, a specific type of adjustment will no longer be required, saving many customers time and possibly create total customer savings of about \$77,000 annually. However, an earlier omission by the PSC of land use reviews from the relevant code section could cause additional Adjustments or other land use reviews later in the design process, possibly creating \$65,000 in added customer fees.

**Long-term Impacts to the City:**

Change to bicycle parking requirements in the City's zoning code are expected to modestly increase the cost of development in some cases due to the need to allocate more space to accommodate more bicycle parking. The changes may affect private and public sector development activity, including housing development, which may in turn impact city costs and City tax revenues. An economic study commissioned by BPS to test different development scenarios found that multistory development on small (5,000-7,500 square foot) close-in sites, where parking is not typically provided, would be most impacted and could result in less units being developed.

**1062 Establish standards for bicycle parking for certain City funded affordable housing projects designed but not yet permitted**

CBO Analysis

The projects cited in this ordinance used the existing bicycle parking regulations in determining development costs, which have received funding commitments from the Portland Housing Bureau. Since these projects have not yet filed land use review, building, or development permit applications, they are not vested under the existing regulations, but would instead be subject to the new standards. Amending the project design to accommodate these new standards would impact development costs, which would either delay or possibly prevent the projects from moving forward altogether. This ordinance allows these projects to utilize the existing standards (if land use review application or permit applications are submitted on or before June 30, 2022; otherwise, the updated Title 33 bicycle requirements will apply).

The Recommended Draft notes that the updates aim to “balance the City goals of providing more affordable housing and supporting affordable, environmentally friendly transportation options.” However, as noted above, the new standards being considered in Item 1048 may increase the cost and complexity of housing development for both market rate and affordable housing projects. The ultimate impact of this policy on the development of housing projects is unknown; however, depending on the extent of the impact, this policy may result in a need for larger government project subsidies, the need to reduce the number of units or rooms in order to finance or physically accommodate the new bike parking standards, and/or may render projects financially or physically

unfeasible.

**1083 Portland Street Response – Pilot Implementation Plan (Report introduced by Commissioner Hardesty) 1.5 hours requested**

CBO Analysis

Initial 12-month cost projections for a two-team pilot total \$438,330. Council appropriated one-time resources totaling \$500,000 in General Fund policy set-aside in the FY 2019-20 Adopted Budget for this pilot. It is projected that the \$500,000 in General Fund resources are sufficient to fund the operational costs of the pilot and will be spent across FY 2019-20 and FY 2020-21. To accommodate this, PF&R will submit two packages in the Spring Supplemental Budget, 1) A transfer from policy set-aside for the \$500,000 in General Fund resources currently in policy set-aside, with a projection of the amount expected to be expended in FY 2019-20, and 2) a Program Carryover for expenses the Fire Bureau expects to incur in FY 2020-21.

During FY 2019-20 budget development, Council also appropriated \$182,727 (split \$145,030 in City of Portland General Fund resources and \$37,697 in User Agency cost sharing) to the Bureau of Emergency Communications for project scoping for both Portland Street Response and a Nurse Triage program. This amount will remain in the BOEC budget for costs related to program evaluation and consulting with outside agencies for training and development for Portland Street Response.

Ongoing resources for this program have not been identified and may be requested in the future pending the outcomes of the PSR pilot. However, FY 2020-21 Mayor's Budget Guidance directs Public Safety bureaus to identify savings that may be invested in future Council priorities in the public safety system, such as Portland Street Response.

**1085 Amend the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Title 33-Planning and Zoning, Title 18-Noise Control, Title 32-Signs and Related Regulations to revise the Multi-Dwelling Residential designations and base zones**

CBO Analysis

This Ordinance amends several titles of the Comprehensive Plan, Comprehensive Plan Map, and Zoning Map in Portland's multi-dwelling zones (Chapter 33.120) and associated regulations in other Zoning Code chapters and Titles 18 and 32 in accordance with the Better Housing by Design Recommended Draft. There are no direct fiscal impacts of this ordinance; however, it will increase staff time costs associated with implementing the amended Zoning Code regulations in BDS and PHB. In BDS this includes staff training, increased permit review, community education materials. And in PHB this includes administering and monitoring affordable housing requirements included in some of the amendments. BPS expects that PHB may need additional funding to compensate for these costs.

The specific administrative costs are currently unknown, but BPS plans to address these impacts in a substitute ordinance after a more thorough analysis can be undertaken before City Council's final vote. The bureau expects this additional analysis to be included in a modified ordinance and updated impact statement to be on the December 5th Council agenda. As far as long term impacts on the city, Economic feasibility analysis (Appendix C of the Recommended Draft) suggests that these proposed changes could result in increased development in multi-dwelling zones over the long term. Additional considerations complementary to the Better Housing by Design Recommended Draft includes an upcoming proposed Resolution from PBOT adopting the recommendations within the Connected Centers Street Plan, which proposes the requirement of new "connection options" or right-of-way access on future developments, resulting in increased development costs. PBOT's proposal will also suggest offsets to these costs, for Council's consideration. This Resolution will come to Council in the coming weeks.