

<p align="center"><b>PORTLAND CITY COUNCIL AGENDA</b>  <b>City Hall - 1221 SW Fourth Avenue</b>  <b><u>WEDNESDAY, 9:30 AM, DECEMBER 11, 2019</u></b></p>		<p align="center"><b>Disposition:</b></p>
<p align="center"><b>TIMES CERTAIN</b></p>		
<p><b>1134</b></p>	<p><b>TIME CERTAIN: 9:45 AM</b> – Create a local improvement district to construct street, sidewalk, stormwater, utility undergrounding and water main improvements in the NE Couch-Davis Street Local Improvement District in support of high-density transit-oriented development in the Gateway Regional Center (Hearing; Ordinance introduced by Commissioner Eudaly; C-10068) 20 minutes requested</p>	<p>The estimated cost of design, construction and financing the improvements is approximately \$8.9 million; the level of confidence is low. The project is funded by \$4.5 million in future assessments to property owners, \$2 million in TSDC revenue and \$454,058 in overhead absorption and \$2 million in TIF funding. Costs for this project are pending inclusion in PBOT’s FY 2019-20 Budget and five year CIP. The cost estimate does not include the cost of utility relocation, utility undergrounding or new water mains.</p>
<p><b>1135</b></p>	<p><b>TIME CERTAIN: 10:05 AM</b> – Accept the Parkrose-Argay Development Study: Final Report and direct Planning and Sustainability to work with the Rossi, Garre, and Giusto families and Prosper Portland to gauge interest in a future private-public partnership for development of the 32 acre site near NE 122nd Ave and NE Shaver St (Resolution introduced by Mayor Wheeler) 45 minutes requested</p>	<p align="center">See below.</p>
<p><b>1136</b></p>	<p><b>TIME CERTAIN: 10:50 AM</b> – 2019 Steve Lowenstein Trust Award (Presentation introduced by Commissioner Fish) 15 minutes requested</p>	<p>No fiscal impact to accepting the twenty-eighth annual Steve Lowenstein Trust Award.</p>

<p><b>CONSENT AGENDA – NO DISCUSSION</b></p> <p><b>Mayor Ted Wheeler</b></p> <p><b>Office of Management and Finance</b></p>	
<p><b>1137</b>      Assess property for system development charge contracts, private plumbing loan contracts and safety net loan deferral contracts (Second Reading Agenda 1108; Z0840, K0182, T0199, W0069, Z1207, K0183, T0200, Z0841, W0069, P0161, P0162)</p>	<p>See below.</p>
<p><b>Commissioner Chloe Eudaly</b></p> <p><b>Bureau of Transportation</b></p>	
<p><b>*1138</b>      Accept a grant in the amount of \$2,543,961 from Metro and authorize Intergovernmental Agreement for the Central Eastside Access and Circulation project (Ordinance)</p>	<p>To accept this \$2.5 million grant from Metro, PBOT must provide \$2.61 million in matching funds. The funds will come from TSDCs. The project is included in PBOT's FY 2019-20 Budget and five year CIP. According to the Bureau, an additional request for TSDC funding is pending to include additional crossing work on SE Salmon. If approved, this project will be included in the project scope. It is unclear how this additional work impacts the Bureau's five year CIP forecast.</p>
<p><b>*1139</b>      Authorize the Transportation Director to sign an agreement with the Union Pacific Railroad Company for construction services for the Earl Blumenauer Bicycle and Pedestrian Bridge (Ordinance)</p>	<p>The estimated cost for this project is \$132,000 which covers the cost of the easement and railroad flagging services in order for bridge construction to occur in the railroad's right of way. The cost for this project is included in PBOT's FY 2019-20 Budget and Five Year Plan.</p>
<p><b>REGULAR AGENDA</b></p> <p><b>Mayor Ted Wheeler</b></p> <p><b>Office of Management and Finance</b></p>	

<p><b>1140</b>      Accept bid of Raimore Construction, LLC for the Gateway Green Development and Restoration Project for \$2,862,768 (Procurement Report - Bid No.00001322) 15 minutes requested</p>	<p>Funding for this Project is included in the PP&amp;R FY19-20 budget through a combination of PP&amp;R SDC funds and Metro Nature in Neighborhoods Capital grant program. The bureau intends to request resources for operations and maintenance of this project in the budget process for FY2022; approval of this project contract creates a de facto obligation to fund these future O&amp;M costs that is currently unbudgeted.</p>
<p><b>1141</b>      Adopt City of Portland Investment Policy (Resolution) 10 minutes requested</p>	<p>This is an annual adoption of the City of Portland's Investment Policy, in line with Oregon Law and Section XIX of the Investment Policy. Although the policy sets criteria for the operation of the City of Portland's investment activities, this is an administrative action and there are no proposed changes to the existing policy or direct fiscal impacts.</p>
<p><b>1142</b>      Amend Revenue and Finance Code to streamline the procurement and contracting process (Second Reading Agenda 1077; amend Code Chapter 5.33, 5.34 and 5.68)</p>	<p>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.</p>

<p><b>Commissioner Chloe Eudaly</b></p> <p><b>Bureau of Transportation</b></p>		
<p><b>*1143</b></p>	<p>Accept a grant in the amount of \$4,646,372 from Metro, authorize Intergovernmental Agreement for the design and construction of specific priority projects identified in the Central City in Motion plan and appropriate \$95,652 in FY 2019-20 (Ordinance) 15 minutes requested</p>	<p>This legislation amends the FY 2019-20 budget to appropriate \$95,652 to begin the design and construction of priority projects. The total local match required for this grant is \$600,047; the bureau states the match will be funded by TSDCs and GTR.</p>
<p><b>*1144</b></p>	<p>Authorize the Bureau of Transportation to enter into an agreement with Union Pacific Railroad Company for preliminary engineering and other related services up to the amount of \$50,000 to construct a bridge on NE 42nd Ave over the Union Pacific Railroad (Ordinance) 15 minutes requested</p>	<p>This legislation authorizes and agrees to reimburse the Union Pacific Railroad for its expenses to collaborate in the development of the bridge replacement, including preliminary engineering services, development of cost estimates and review of the preliminary layout. The Railroad estimates that preliminary costs will be \$50,000. These costs are included in the Bureau's FY 2019-20 budget and five year CIP.</p>
<p><b>1145</b></p>	<p>Amend Transportation System Development Charge 2017 Capital Improvement Plan (Ordinance; amend Ordinance No. 188619) 15 minutes requested</p>	<p>This ordinance amends the TSDC 2017 Capital Improvement Plan to provide funding eligibility to new capital projects. This action does not have a financial or budgetary impact because it does not change the rate study nor does it allocate funding to projects.</p>
<p><b>1146</b></p>	<p>Amend Towing and Disposition of Vehicles Code to clarify when a vehicle may be towed (Second Reading Agenda 1119; amend Code section 16.30.210)</p>	<p>No fiscal impact.</p>
<p><b>Commissioner Nick Fish</b></p> <p><b>Bureau of Environmental Services</b></p>		

<p><b>1147</b> Authorize the Bureau of Environmental Services to acquire certain permanent and temporary property rights necessary for construction of the Carson Basin- SW 39th Ave Project No. E11116, through the exercise of the City’s Eminent Domain Authority (Ordinance) 15 minutes requested</p>	<p>The cost of acquiring the needed easements will be determined by an independent appraisal during the Eminent Domain process. Current appraisal values are not currently available. Funds are available in the Bureau of Environmental Services’ FY 2019-20 budget in the Sewer System Operating Fund.</p>
<p><b>1148</b> Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the NW Thurman St Sewer Reconstruction project No. E10696 for an estimated cost of \$4,680,000 (Second Reading Agenda 1120)</p>	<p>The level of confidence in the construction cost estimate of \$4,680,000 is high. Funds for the project will be appropriated in BES’s FY 2020-21 budget in the Sewer System Operating Fund.</p>
<p><b>City Auditor Mary Hull Caballero</b></p>	
<p><b>1149</b> Appeal of Patrick Cashman against the Bureau of Parks and Recreation Social Service Permits policy (Report) 15 minutes requested</p>	<p>No immediate fiscal impact. This is not a legislative action but rather an appeal of the Portland Parks &amp; Recreation bureau’s Social Service Permit policy. The Social Service Permit fee policy was enacted in October of 2019 and requires that Social Service groups purchase event liability insurance. If groups apply for permits more than 30 days before the event the fee is waived.</p>
<p><b><u>WEDNESDAY, 1:30-4:30 PM, DECEMBER 11, 2019</u></b></p> <p><b>RESIDENTIAL INFILL PROJECT WORK SESSION</b>  <b>Location: City Hall – Council Chambers</b></p> <p><b>Public and Press may attend.</b>  <b>Public comment will not be taken at the Work Session</b></p>	
<p><b><u>WEDNESDAY, 4:45 PM, DECEMBER 11, 2019</u></b></p>	

<p><b>1150</b></p>	<p><b>TIME CERTAIN: 4:45 PM</b> – Amend the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Title 33-Planning and Zoning, Title 18-Noise Control, Title 30-Affordable Housing, Title 32-Signs and Related Regulations to revise the Multi-Dwelling Residential designations and base zones (Previous Agenda 1127; Ordinance introduced by Mayor Wheeler; amend Code Title 33, 18, 30 and 32) 10 minutes requested</p>	<p>See below.</p>
<p><b><u>THURSDAY, 2:00 PM, DECEMBER 12, 2019</u></b></p>		
<p><b>1151</b></p>	<p><b>TIME CERTAIN: 2:00 PM</b> – Results of Financial Audit of the City Comprehensive Annual Financial Report for FY 2018-19 and related communications (Report introduced by Auditor Hull Caballero) 1 hour requested for items 1151-1152</p>	<p>The acceptance of the report on the annual financial audit does not have any financial or budgetary impact. The cost of the City's financial audit is covered by the Office of the City Auditor's current budget.</p>
<p><b>1152</b></p>	<p>Accept the City of Portland Comprehensive Annual Financial Report for the FY ended June 30, 2019 (Report introduced by Mayor Wheeler)</p>	<p>No Fiscal Impact.</p>
<p><b>1153</b></p>	<p><b>TIME CERTAIN: 3:00 PM</b> – Accept 2017-19 Biennial Report to Portland City Council on 100 Percent Renewable Energy Resolution No. 37289 (Report introduced by Mayor Wheeler) 1 hour requested</p>	<p>No Fiscal Impact.</p>
<p><b>1154</b></p>	<p><b>TIME CERTAIN: 4:00 PM</b> – Accept the report on the City of Portland 2020 Federal Legislative and Regulatory Agenda (Report introduced by Mayor Wheeler) 40 minutes requested for items 1154-1155</p>	<p>No fiscal impact</p>
<p><b>1155</b></p>	<p>Accept the report on the City of Portland 2020 State Legislative Agenda (Report introduced by Mayor Wheeler)</p>	<p>No fiscal impact</p>
<p><b>*1156</b></p>	<p><b>TIME CERTAIN: 5:00 PM</b> – Amend Trees In Development Situations Code to extend sunset date for certain tree preservation regulations in development situations on private property (Second Reading Agenda 1126; introduced by Mayor Wheeler; amend Code Chapter 11.50)</p>	<p>No fiscal impact because there are no changes to the existing regulations.</p>

<p><b>FOUR-FIFTHS AGENDA</b></p> <p><b>Mayor Wheeler</b></p> <p><b>Office of Management and Finance</b></p>	
<p><b>*1157</b></p>	<p>Amend City Code related to the administration of the Portland Clean Energy Community Benefits Initiative (Ordinance; amend Code Chapters 7.02 and 7.07) 30 minutes requested</p>
	<p>See below.</p>

**1135TIME CERTAIN: 10:05 AM** – Accept the Parkrose-Argay Development Study: Final Report and direct Planning and Sustainability to work with the Rossi, Garre, and Giusto families and Prosper Portland to gauge interest in a future private-public partnership for development of the 32 acre site near NE 122nd Ave and NE Shaver St

CBO Analysis

Accepting the Parkrose-Argay Development Study - Final Report does not have any significant direct fiscal impacts. However, the Ordinance does direct BPS and Prosper Portland to dedicate staff time to continue property development discussions for the study area, in line with the development study concept plan, subject to availability of funding for staff involvement. Total costs and funding sources are not currently identified.

In addition, implementation of the concept plan, including a development agreement, would require significant additional City resources, including staff time from various City bureaus including BPS, Prosper, Portland Parks & Recreation, Portland Housing Bureau, Bureau of Development Services, Bureau of Environmental Services, and the Portland Bureau of Transportation. The full budget impacts of any development are currently unknown and the bureau states that if the plan moves forward further Council action would be required, which may include a request for resources. Exhibit A of the report includes preliminary market analysis, financial viability and characteristics of the Concept Plan.

**1137** Assess property for system development charge contracts, private plumbing loan contracts and safety net loan deferral contracts

CBO Analysis

This Ordinance assesses property for system development charge contracts, private plumbing loan contracts and safety net loan deferral contracts. Combined total of the contracts to be assessed by this Ordinance is \$3,591,850.29.

This legislation will generate current revenue coming to the City. It will increase Lien Revenues for:

- o Fund 200000 – Transportation Operating Fund by \$590,411 .68
- o Fund 402000 – Parks Capital Improvement Operating Fund by \$498,128.73
- o Fund 600001 – Sewer Operating Fund (SDC Sewer System Subfund) by \$897,774.92
- o Fund 615001 – Water Construction Fund by \$46,742.00
- o

This legislation will generate future revenue coming to the City. It will increase Lien Revenues for:

- o Fund 200000 – Transportation Operating Fund by \$5,341.66
- o Fund 600000 – Sewer Operating Fund by \$151,428.19
- o Fund 600001 – Sewer Operating Fund (SDC Sewer System Subfund) by \$61,305.88
- o Fund 402000 – Parks Capital Improvement Operating Fund by \$8,543.27
- o Fund 615001 – Water Construction Fund by \$12,814.89

**1150TIME CERTAIN: 4:45 PM** – Amend the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Title 33-Planning and Zoning, Title 18-Noise Control, Title 30-Affordable Housing, 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, 30 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.

BDS indicates there will be an increase in review time associated with the Zoning Code amendments (estimated as a net increase of 20 hours of total review time per year), but that this is not substantial enough to require fee increases at this point. BDS will track the accuracy of workload projections associated with the code changes and make amendments to the fees at a later date if necessary.

The Housing Bureau will need additional funding to compensate for the bureau's role in administering the new affordable housing bonus provisions. The Housing Bureau estimates the fiscal impact of administering the new affordable housing bonuses, in combination with costs for administering previously-adopted inclusionary housing bonuses, at \$254,414 in ongoing costs for 2.0 FTE program specialists and \$14,000 in onetime costs for workspace and equipment.

The Housing Bureau expects that additional funding will be required to compensate for the bureau's role in administering the new affordable housing bonus provisions. The Housing Bureau estimates the fiscal impact of administering the new affordable housing bonuses, in combination with costs for administering previously-adopted inclusionary housing bonuses, at \$254,414 in ongoing costs for 2.0 FTE program specialists and \$14,000 in onetime costs for workspace and equipment. However, the total workload associated with these amendments is unknown at this time. Additional funding may come from an interagency collaboration involving fees or a budget request with the Bureau of Planning & Sustainability.

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 the proposed Resolution from PBOT (Item #1128) 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.

**1157** Amend City Code related to the administration of the Portland Clean Energy Community Benefits Initiative

This Ordinance amends City Code Chapter 7.02 related to the administration of the Portland Clean Energy Community Benefits Initiative. Proposed changes include 1. Changing the definition of Large Retailer to exclude construction 2. Provide additional exemptions for the sales of "Qualified Retirement Plans" and "Qualified Residential Garbage and Recycling Services" 3. Extending the timeline for the grace period from the 5% administrative cost cap for the program from calendar years 2019 and 2020 to fiscal years ending June 2020, June 2021 and June 2022.

There is a direct fiscal impact to City resulting from these proposed changes resulting in a lower amount of estimated revenues collected. The Revenue Division originally estimated annual tax receipts of \$54 million to \$71 million. With the proposed changes, estimates of annual tax receipts have reduced to \$44 million to \$61 million.