

PORTLAND CITY COUNCIL AGENDA City Hall - 1221 SW Fourth Avenue <u>WEDNESDAY, 9:30 AM, DECEMBER 18, 2019</u>		Disposition:
TIMES CERTAIN		
1163	TIME CERTAIN: 9:45 AM – Consider the proposal of Portland’s Bureau of Environmental Services, applicant, and the recommendation from the Hearings Officer for approval of a Statewide Planning Goal Exception and associated Comprehensive Plan Amendment, River Violation Review, and River Review to authorize the construction of, and repair or replacement of, odor treatment equipment and vaults and appurtenances associated with the Ankeny Pump Station within the River Setback area (Hearing introduced by Mayor Wheeler; LU 19-160084 GE RR RV CP) 45 minutes requested for items 1163 – 1164	This is a Type III quasi-judicial land use review (not legislation). The City Council decision on this matter will not have financial or budgetary impacts on the City. Generally, Land Use Reviews are fee supported. In this case, the applicant paid the full land use review fee of \$26,108. City costs associated with the Land Use Review fee are for staff and Hearings Officer time to process the review.
*1164	Approve a Statewide Planning Goal Exception and associated Comprehensive Plan Amendment, River Violation Review, and River Review to authorize the construction of, and repair or replacement of, odor treatment equipment and vaults and appurtenances associated with the Ankeny Pump Station within the River Setback area (Hearing; Ordinance introduced by Mayor Wheeler; LU 19-160084 GE RR RV CP)	See FIS for Item 1163 (above).
1165	TIME CERTAIN: 10:30 AM – Adopt the recommendations within the Connected Centers Street Plan (Previous Agenda 1128; Resolution introduced by Commissioner Eudaly) 30 minutes requested for items 1165 – 1166	See below.
1166	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 (Second Reading Agenda 1150; Ordinance introduced by Mayor Wheeler; amend Code Title 33, 18, 30 and 32)	See below.
1167	TIME CERTAIN: 11:00 AM – Accept report from Portland United Against Hate Coalition on outcomes for FY 2017-18 and FY 2018-19 Special Appropriations Grants (Report introduced by Mayor Wheeler) 30 minutes requested	No fiscal impact.

CONSENT AGENDA – NO DISCUSSION

Mayor Ted Wheeler

Bureau of Planning & Sustainability

*1168	Accept a grant in the amount of \$10,000 from the Kinsman Foundation to support a Belgian Block salvage and reuse project (Ordinance)	This ordinance will allow the Bureau of Planning and Sustainability to accept a Kinsman Foundation grant in the amount of \$10,000 to assist with the reuse of City-owned historic Belgian Blocks (cobblestones). A match is not required by the Kinsman Foundation. However, the Bureau of Transportation will match \$10,000 towards redeployment of Belgian Blocks for potential use at the Earl Blumenauer Bridge landings and the Bureau of Planning and Sustainability will match \$2,000 in-kind support to manage the grant, coordinate between bureau staff and the Portland Historic Landmarks Commission, and identify new best practices. Appropriation of these resources is expected to be made during FY 2019-20 Spring supplemental budgeting process.
*1169	Amend Prohibition and Restrictions on Single-Use Plastic Code to reflect changes required by State of Oregon House Bill 2509 to maintain enforcement authority over the single-use plastic bag ban (Ordinance; replace Code Sections 17.103.210 and .220)	No direct fiscal impact as administration of the City's single-use plastic bag ban has been in effect since 2011 and the program and staffing have already been assigned in BPS. Single-use plastic bag enforcement workload averages about .05 FTE, or 2 hours per week and no increases in workload are expected from this change.
City Budget Office		
1170	Adopt the Budget Calendar for FY 2020-21 (Resolution)	No fiscal impact.

Office of Management and Finance		
1171	Reappoint David Shaff as the Presiding Officer of the Civil Service Board for a term to expire on December 18, 2022 (Report)	No fiscal impact.
*1172	Authorize a grant agreement with East Portland Neighbors in an amount not to exceed \$11,900 to develop language and cultural knowledge skills among low-income, refugee families (Ordinance)	Special Appropriations was appropriated \$150,000 for EPAP as part of the FY 2019-20 Adopted Budget. This grant agreement will be funded using these monies.
*1173	Pay bodily injury lawsuit of Robert Smith in the sum of \$150,000 involving the Portland Bureau of Transportation (Ordinance)	Total cost to the City to settle the lawsuit is \$150,000. The source of funding is the City's Insurance and Claims Fund. All cost of the settlement is in the current fiscal year.
*1174	Pay property damage and bodily injury claims of Erin Weeks and Justin Weeks in the total sum of \$15,000 resulting from a motor vehicle collision involving the Portland Police Bureau (Ordinance)	Total cost to the City to settle these claims is \$15,000. The source of funding is the City's Insurance and Claims Fund. All cost of the settlement is in the current fiscal year.

Portland Housing Bureau		
1175	Establish 2020 sale price cap for the Homebuyer Opportunity Limited Tax Exemption Program (Resolution)	The HOLTE program reduces future revenue to the City in the form of foregone property taxes. This action limits the sale price for units eligible to receive property tax exemptions under this program; as such, there is no direct fiscal impact.
Commissioner Chloe Eudaly		
Bureau of Transportation		
*1176	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)	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 Transportation SDCs and General Transportation Revenue.
*1177	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)	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>Commissioner Nick Fish</p> <p>Bureau of Environmental Services</p>		
<p>*1178</p>	<p>Authorize an Intergovernmental Agreement with the University of Washington to model projected changes in precipitation extremes due to climate change not to exceed \$44,300 (Ordinance)</p>	<p>The total cost of the effort is being shared by the City of Portland and the City of Gresham. The \$44,300 represents the City of Portland's proportional share of the data analysis needs. The budget for this IGA has already been approved in BES's FY 2019-20 budget and will be proposed in the FY 2020-21 budget.</p>
<p>1179</p>	<p>Authorize the Bureau of Environmental Services to reimburse the property owner at 4637 NE 38th Ave for sewer user fees paid to the City in the amount of \$3,897 (Ordinance)</p>	<p>\$3,897 in sewer user fees collected in error by the City are to be reimbursed to the property owner.</p>
<p>City Auditor Mary Hull Caballero</p>		
<p>1180</p>	<p>Approve Council Minutes for July - December 2018 (Report)</p>	<p>No fiscal impact.</p>

REGULAR AGENDA		
Mayor Ted Wheeler		
1181	Approve further amendments to Plan for the Portland Committee on Community-Engaged Policing (Resolution) 20 minutes requested	The proposed amendments are related primarily to protocols and policies about membership and appointment to PCCEP. No fiscal impact is anticipated.
Bureau of Development Services		
*1182	Adopt the State of Oregon 2019 Editions of the Oregon Structural Specialty Code and the Oregon Mechanical Specialty Code (Ordinance; amend Code Titles 24 and 27) 10 minutes requested	There are no financial or budgetary impacts associated with the proposed ordinance outside of standard costs associated with code changes. No new regulations are created by the proposed amendments.
City Budget Office		
*1183	Create the Citywide Obligations Reserve Fund (Ordinance) 15 minutes requested	No fiscal impact. The new fund will be able to accept moneys from a variety of City bureaus and funds to plan for future and/or multi-year obligations.
Office of Management and Finance		
1184	Authorize a Price Agreement for campsite cleanup services for \$4,528,000 annually, over a five-year period (Procurement Report - RFP No. 00001288) 15 minutes requested	The cost of \$4,528,000 contract is included in the Bureau's FY 2019-20 Adopted Budget. Over the five year period, the agreement will be funded with combination of interagency, intergovernmental, and General Fund revenues.
*1185	Amend contract with SAP Public Services, Inc. to increase the not-to-exceed value by \$2,821,024 for software licenses, maintenance, and related services through June 2021 (Ordinance; amend Contract No. 30005309) 15 minutes requested	See below.

<p>1186 Amend Revenue and Finance Code to streamline the procurement and contracting process (Second Reading Agenda 1142; 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>Portland Housing Bureau</p>	
<p>*1187 Approve \$200,000 subrecipient contract with African American Alliance for Homeownership for Homeownership Asset Preservation Pilot Program (Ordinance) 15 minutes requested</p>	<p>Funding has been allocated for this purpose in the bureau's budget over a two-year period, funded by Community Development Block Grant resources through June 2021.</p>
<p>Commissioner Chloe Eudaly</p>	
<p>1188 Accept report on Year 1 of the Universal Representation Project through the Equity Corps of Oregon (Report) 30 minutes requested</p>	<p>No fiscal impact.</p>

Bureau of Transportation		
1189	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 (Second Reading Agenda 1134; Ordinance introduced by Commissioner Eudaly; C-10068)	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.
1190	Amend Transportation System Development Charge 2017 Capital Improvement Plan (Second Reading Agenda 1145; amend Ordinance No. 188619)	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.
Commissioner Nick Fish		
Bureau of Environmental Services		
1191	Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Hillsdale Crest Rainfall Derived II Project No. E10941, for an estimated cost of \$5 million (Ordinance) 10 minutes requested	The high confidence estimate of total project cost is \$5 million. Funding is available in BES's FY 2019-20 budget in the Sewer System Operating Fund.

<p>1192 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 (Second Reading Agenda 1147)</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>
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WEDNESDAY, 2:00 PM, DECEMBER 18, 2019

<p>1193 TIME CERTAIN: 2:00 PM – Amend Motor Vehicle Fuels Code to move authority to establish, revise as necessary and enforce standards for biofuels sold in the City to the Director of the Bureau of Planning and Sustainability (Ordinance introduced by Mayor Wheeler; amend Code Chapter 16.60) 1 hour requested</p>	<p>Administration and updating of the code will have direct financial costs for BPS. BPS has identified \$50,000 in salary savings in its FY 2019-20 budget that it will request to be reallocated in the FY 2019-20 Spring Budget Monitoring Process to its materials and services budget for contract work to conduct a market assessment and policy options. In the FY 2020-21 budget process, BPS plans to request one-time resources for the completion of this work. The costs for administering the current code are expected to be covered through existing resources, such as staff time. Further direct and indirect fiscal impacts on the City resulting from future implementation of a modified code could result; however, those impacts are currently unknown. BPS plans to present these to Council at a future date along with the identified policy recommendations.</p>
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***1194**

TIME CERTAIN: 3:00 PM – Readopt remanded Ordinance No. 188142 to restrict bulk fossil fuel terminals (Previous Agenda 1082; Ordinance introduced by Mayor Wheeler; amend Title 33, Planning and Zoning) 90 minutes requested

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."

THURSDAY, 2:00 PM, DECEMBER 19, 2019

<p>*1195 TIME CERTAIN: 2:00 PM – Authorize an Intergovernmental Agreement with Multnomah County for the Earthquake Ready Burnside Bridge Project for staffing services in the amount of \$1,489,469 (Ordinance introduced by Commissioner Eudaly) 45 minutes requested</p>	<p>This action authorizes an IGA between seven City bureaus and Multnomah County whereby the County will reimburse involved City bureaus \$1.5 million for staffing services to help manage the Burnside Bridge environmental review phase of the Earthquake Ready Burnside Bridge Project. While this phase of the work is being reimbursed by the County, findings and impacts from this phase may affect future City bureau capital and operational budgets.</p>
<p>1196 TIME CERTAIN: 2:45 PM – Accept the Building Healthy Connected Communities Along the Division Transit Corridor Report, including the identified opportunities and actions needed to grow more complete communities along the Division Transit Corridor and through East Portland (Resolution introduced by Mayor Wheeler) 1 hour requested</p>	<p>See below.</p>
<p>1197 TIME CERTAIN: 3:45 PM – Update on the Inclusive Business Resource Network (Report introduced by Mayor Wheeler) 1 hour requested</p>	<p>No fiscal impact. IBRN's FY 2019-20 budget is \$3,578,207, with \$1,811,289 of that funded by the General Fund and \$737,126 funded by Cannabis Fund revenues.</p>

1165 Adopt the recommendations within the Connected Centers Street Plan (Previous Agenda 1128; Resolution introduced by Commissioner Eudaly) 30 minutes requested for items 1165 – 1166

No immediate fiscal impact. This plan proposes allowing adjacent properties to share more of the responsibility (and costs) for building a required street connection (per City Code 33.654.110 and 17.88.040), and requiring less space/cost on an individual site. Costs or cost sharing per property is not quantified, but PBOT is proposing using Transportation System Development Charges (TSDC) revenues to help offset these costs to developers. The bureau notes that this is a concept plan which relies on private development to build new (code-required) connections as infill occurs. There are two capital projects that are proposed to be added to the Transportation System Plan (TSP) totaling \$2.23 million, covering up to half of the cost for the developer through TSDCs. All new street connections (right-of-way access) would be owned and maintained by PBOT, costs of which are not yet quantified.

1166 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.

***1185 Amend contract with SAP Public Services, Inc. to increase the not-to-exceed value by \$2,821,024 for software licenses, maintenance, and related services through June 2021**

In June 2016, Council passed Ordinance No. 187909 authorizing a not-to-exceed value of \$3,484,100 for a new SAP software license, maintenance, and services agreement (Contract No. 30005309), with an initial 5-year term through June 2021. This ordinance authorizes adding funding to Contract No. 30005309 in the amount of \$2,821,024 for a new total not-to-exceed value of \$7,000,000 to fund maintenance and related services to support the City's SAP system.

The additional \$2,821,024 includes: a. Purchase of licenses to support a platform upgrade to SAP HANA Databases - \$1,260,000 b. Maintenance support through June 2021 for the new HANA database license purchase at 22% annually - \$415,800 c. SAP Professional Services for implementation of key initiatives - \$600,000 d. On-going existing licensing maintenance through June 2021 - \$545,224.

BTS has appropriation in their FY 2019-20 budget to cover the first year of anticipated expense associated with this action. Funding for the balance of the contract extension will be included in out-year base bureau budgets. There is no rate increase to customer bureaus planned as a result of this contract extension. BTS plans to identify budgetary offsets for any increase in SAP support costs.

1196 Accept the Building Healthy Connected Communities Along the Division Transit Corridor Report, including the identified opportunities and actions needed to grow more complete communities along the Division Transit Corridor and through East Portland

There are no direct fiscal impacts to accepting this report; the project was funded by an Intergovernmental Agreement with Metro. However, the proposed legislation directs several actions and recommends policy proposals, which could have significant financial impacts to the City. Costs and funding sources for these efforts have not been provided by the bureau and are currently unknown.

Focus Area sections throughout the report identify estimated costs of projects and their funding status. The potential Actions and Policy Recommendations section of the final report (beginning on page 62) identifies potential funding sources for some of these actions/

BPS notes that costs and funding sources associated with the report's recommendations requiring BPS actions are within existing programs, could be funded through an external grant, or will be identified at a

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future date and could result in resource requests in the annual process. Costs and funding sources for recommendations involving the Portland Bureau of Transportation are: 1) already assumed in plans that previously been adopted (e.g., the Jade and Montavilla Connected Centers Plan, Division-Midway Street Plan); 2) are recommendations to be included in the next Transportation System Plan and Systems Development Charge future updates; or 3) identified at a future date on an as needed basis through either the annual budget process or through an external grant.