

PORTLAND CITY COUNCIL AGENDA
City Hall - 1221 SW Fourth Avenue
WEDNESDAY, 9:30 AM, APRIL 29, 2020

Disposition:

Please note, City Hall is closed to the public due to the COVID-19 Pandemic.

Under Portland City Code and state law, the City Council is holding this meeting electronically. All members of council are attending remotely by video and teleconference and the City has made several avenues available for the public to listen to the audio broadcast of this meeting. The meeting is available to the public on the City's YouTube Channel, eGov PDX, www.portlandoregon.gov/video and Channel 30. The public can also provide written testimony to Council by emailing the Council Clerk at cctestimony@portlandoregon.gov.

The Council is taking these steps as a result of the COVID-19 pandemic and the need to limit in-person contact and promote social distancing. The pandemic is an emergency that threatens the public health, safety and welfare which requires us to meet remotely by electronic communications. Thank you all for your patience, flexibility and understanding as we manage through this difficult situation to do the City's business.

Provide Public Testimony: City Council will hear public testimony on resolutions and ordinances (first readings only). Public testimony will be heard by electronic communication (internet connection or telephone). Please identify the agenda item(s) you want to testify on, and then visit the Council Clerk's agenda webpage to register, www.portlandoregon.gov/auditor/councilagenda. Provide your name, agenda item number(s), zip code, phone number and email address. Individuals have three minutes to testify unless otherwise stated at the meeting. Testimony is not taken on communications, reports, second readings, proclamations or presentations in accordance with Code 3.02.040 F. and G. **The deadline to sign up for the April 29, 2020 Council meeting is Tuesday, April 28, at 4:00 p.m.**

Email the Council Clerk at cctestimony@portlandoregon.gov with any questions.

CONSENT AGENDA – NO DISCUSSION

Mayor Ted Wheeler

***326** Pay settlement of Randy Block and Terry Belieu property damage lawsuit in the sum of \$55,000, involving Bureau of Environmental Services (Ordinance)

Total cost to the City to settle the lawsuit is \$55,000. The source of funding is the City's Insurance and Claims Fund. All cost of the settlement is in the current fiscal year.

***327** Pay settlement of Kathleen Pratt property damage and bodily injury lawsuit in the sum of \$14,000, involving Portland Bureau of Transportation (Ordinance)

Total cost to the City to settle the lawsuit is \$14,000. The source of funding is the City's Insurance and Claims Fund. All cost of the settlement is in the current fiscal year.

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<p>*328 Pay settlement of lawsuit from the Estate of Fallon Smart in the sum of \$395,000 involving Portland Bureau of Transportation (Ordinance)</p>	<p>Total cost to the City to settle the lawsuit is \$395,000. The source of funding is the City's Insurance and Claims Fund. All cost of the settlement is in the current fiscal year.</p>
<p>*329 Pay property damage claim of Wells Fargo Bank NA in the sum of \$11,330 involving Portland Bureau of Environmental Services (Ordinance)</p>	<p>Total cost to the City to settle the claim is \$11,329.83. The source of funding is the City's Insurance and Claims Fund. All cost of the settlement is in the current fiscal year.</p>
<p>Commissioner Amanda Fritz</p>	
<p>Water Bureau</p>	
<p>330 Amend Intergovernmental Agreement with the Regional Water Providers Consortium for a no cost time extension to provide staffing services (Second Reading Agenda 308; amend Contract No. 50880)</p>	<p>No fiscal impact. The City pays for approximately one-third of the total dues of the Consortium based on a proportionate distribution of costs by system size and has 3.6 FTEs assigned to the Consortium. The City realizes economies of scale by sharing staff between the City and the Consortium, and it receives compensation for the services provided in the IGA at full cost of service.</p>
<p>Commissioner Jo Ann Hardesty</p>	
<p>Portland Fire & Rescue</p>	
<p>331 Authorize application to the Department of Homeland Security through its Federal Emergency Management Agency for boathouse construction grant totaling \$1 million (Ordinance)</p>	<p>See below.</p>
<p>REGULAR AGENDA</p>	
<p>Mayor Ted Wheeler</p>	
<p>Bureau of Environmental Services</p>	

<p>332 Authorize the Bureau of Environmental Services to acquire certain permanent and temporary property rights necessary for construction of the Montavilla North Sewer Repair Project through the exercise of the City's Eminent Domain Authority, Project No. E10385 (Ordinance) 20 minutes requested</p>	<p>The cost of acquiring the needed properties will be determined by an independent appraisal during the Eminent Domain process. Funds are available in BES's FY 2019-20 budget in the Sewer System Operating Fund.</p>
<p>Office for Community Technology</p>	
<p>333 Grant a one-year temporary, revocable permit to Crown Castle Fiber, LLC for wireless communications services in the City (Second Reading Agenda 311)</p>	<p>This action would grant a 1 year revocable permit to Crown Castle for wireless services. Under the prior franchise agreement, Crown paid the City approximately \$18,000 annually. Under the new terms, which are in alignment with agreements with AT&T and Verizon, Crown would pay \$1,288 per small wireless site and \$8,280 per macro site. Crown is anticipated to pay \$14,168 for 11 small wireless sites under the one year agreement.</p>
<p>Commissioner Chloe Eudaly</p>	
<p>Bureau of Transportation</p>	
<p>*334 Extend contract with Motivate International, Inc. and increase the contract value for continued operation of the Bikeshare System in an amount not to exceed \$750,000 (Ordinance; amend Contract No. 30003174) 15 minutes requested</p>	<p>This legislation increases the contract value to \$15.3 million. The PBOT-Motivate Contract prohibits payment for operations using City funds. Motivate can only be paid from bike share system revenue and sponsorship dollars. According to the bureau, there are sufficient funds in the bike share system account to cover for this contract extension.</p>

<p>335 Authorize a contract with the lowest responsible bidder for the Downtown I-405 Pedestrian Safety and Operational Improvements Project for an estimated \$3,183,401 (Ordinance) 15 minutes requested</p>	<p>Total project cost is \$3,183,401 (low confidence estimate). Costs for this project are included in PBOT's FY 19-20 budget and FY 20-21 Requested Budget and five-year CIP forecast. The project is primarily funded with \$2,009,953 of federal funds from ODOT's Enhance program. Local match is required for this project, and \$230,140 of GTR and \$943,308 of TSDCs have been budgeted for this purpose.</p>
<p>Commissioner Amanda Fritz</p>	
<p>Water Bureau</p>	
<p>336 Authorize Intergovernmental and grant agreements in support of the Water Leak Repair Assistance Program for income qualified Portlanders in an amount not to exceed \$1,250,000 over a period of five years (Second Reading Agenda 319)</p>	<p>Funding in an amount not to exceed \$250,000 per fiscal year will be requested through annual budget requests to support the Program for a period of five (5) years. Funding of \$90,000 is requested in the FY 2020-21 Budget. Additional funds will be requested in the FY 2021-22 through FY 2024-25 Budgets. Funding needs fluctuate each fiscal year based on the variable need for customer water leak repairs; however, funding will not exceed \$250,000 per year.</p>

331 Authorize application to the Department of Homeland Security through its Federal Emergency Management Agency for boathouse construction grant totaling \$1 million (Ordinance).

CBO Analysis:

Council appropriated \$500,000 for a boathouse at Fire Station 17 from the Fire Apparatus Replacement subfund within the General Reserve Fund in the FY 2019-20 Adopted Budget. Revised total projected cost of the new boathouse exceeds the original appropriation, with the project now forecasted to cost \$1.5 million, while any cost over-runs would be absorbed into Fire's Capital Outlay base budget. This FEMA grant requires a 25% match (\$250,000) which would be covered by the original \$500,000 appropriation.

Absent the grant, it is unclear if the project would proceed; the project could be cancelled, funded with additional apparatus reserve funds, or included as part of a potential GO bond. If cancelled, the \$500,000 originally allocated would likely fall to balance in Fire's Capital Fund where it would be re-allocated to other apparatus replacement needs. Should the grant be funded, the operations & maintenance and major maintenance costs, while not significant, would add to Fire's approximately \$1 million facilities maintenance and equipment replacement deficit. Lifecycle replacement cost of the boathouse would also go unfunded. Fire would be obligated to budget these costs in their CIP per City Financial Policy 2.03.

Costs of maintaining the non-housed boat would also increase (the boat at Station 17 averaged \$4,400 per year in maintenance costs compared to \$2,500 per year of the housed boat at Station 21 under Hawthorne Bridge).