

**PORTLAND CITY COUNCIL AGENDA
City Hall - 1221 SW Fourth Avenue
WEDNESDAY, 9:30 AM, JUNE 3, 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 June 3, 2020 Council meetings is Tuesday, June 2, 2020 at 4:00 p.m.**

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

TIMES CERTAIN

412 TIME CERTAIN: 9:30 AM – Proclaim the City of Portland a place that does not tolerate xenophobia by condemning the rise in hate crimes, attacks, and attitudes against Asian American and Asian Pacific Islander Communities due to the racist manipulation and polarization of the COVID-19 crisis (Proclamation introduced by Mayor Wheeler and Commissioner Eudaly) 45 minutes requested for items 412-413

No fiscal impact.

<p>413 Accept report of the New Portlanders Policy Commission COVID-19 (Report introduced by Commissioner Eudaly)</p>	<p>No binding fiscal impact to accepting this report. However, the report recommends that the City invest a total of \$2.0 million in the Oregon Worker’s Relief Fund to support immigrant and refugee unemployment-like benefits. The FY 2020-21 Budget currently includes \$250,000 for this work. Adhering to the report’s recommendations would require allocating an additional \$1,750,000.</p>
<p>414 TIME CERTAIN: 10:30 AM – Extend final inspection deadline for qualifying for a system development charge exemption for certain accessory dwelling units from June 30, 2020 to September 30, 2020 and establish options if that deadline is missed (Resolution introduced by Mayor Wheeler) 30 minutes requested</p>	<p>There are no new financial or budgetary impacts associated with the proposed resolution outside of the loss of system development charges already contemplated when the initial waiver was granted in 2016. No new regulations are created by the proposed resolution, other than providing the option of recording a covenant not to use the ADU as an accessory short-term rental for 10 years.</p>

<p>CONSENT AGENDA – NO DISCUSSION</p> <p>Mayor Ted Wheeler</p> <p>Bureau of Development Services</p>	
<p>415 Reappoint Greg Douglass, Milo Coy, and John Karasaki to the Mechanical Code Board of Appeal for terms to expire May 23, 2023 (Report)</p>	<p>No fiscal impact.</p>
<p>City Attorney</p>	
<p>416 Authorize City Attorney to file litigation on behalf of the City as may be required to protect its legal interests regarding the Streetcar crash on May 24, 2018 (Resolution)</p>	<p>No direct fiscal impact to the General Fund. This ordinance authorizes City Attorney to file litigation on behalf of the City regarding the Streetcar crash on May 24, 2018. The Attorney will use existing staff and resources in the Offices FY 2019-20 budget.</p>
<p>Commissioner Chloe Eudaly</p> <p>Bureau of Transportation</p>	
<p>417 Authorize an Intergovernmental Agreement with Metro to support analysis and coordination as part of the Regional Congestion Pricing Study and authorize transfer of \$50,000 to support technical analysis activities (Ordinance)</p>	<p>This project is included in PBOT's FY 2019-20 operating budget. Specific pricing policies that are recommended for implementation from the Pricing Options for Equitable Mobility project could have significant financial and budgetary impacts, which will become clearer as the work progresses.</p>
<p>REGULAR AGENDA</p> <p>Mayor Ted Wheeler</p>	
<p>418 Appoint Sam Rodriguez as an alternate to the Building Code Board of Appeal for a term to expire June 2, 2023 (Report) 10 minutes requested</p>	<p>No fiscal impact.</p>
<p>419 Appoint Mary Sipe and reappoint Michael Wallace to the Noise Review Board for terms to expire June 1, 2023 (Report) 15 minutes requested</p>	<p>No fiscal impact.</p>
<p>Bureau of Environmental Services</p>	

<p>*420 Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Downtown Old Town Urgent Sewer Pipe Rehabilitation Project, No. E11212, for \$2,687,510 (Ordinance; amend Ordinance No. 189908) 10 minutes requested</p>	<p>The proposed budget of \$2,687,510 is a project estimate assigned a high confidence level. This project is part of BES' Large Scale Sewer Rehabilitation Program. Funds are available in BES' FY 2019-20 and FY 2020-21 budgets in the Sewer System Operating Fund.</p>
<p>Office of Management and Finance</p>	
<p>421 Accept bid of Moore Excavation, Inc., for the Hillsdale Crest Rainfall Derived II Project for \$4,072,044 (Procurement Report – Bid No. 00001420) 10 minutes requested</p>	<p>The engineer's estimate for this project was \$5,178,885, and the confidence level was high. Based on bids received, BES anticipates the construction contract cost to be \$4,072,044, which is 21.4% under the engineer's estimate. The total construction cost recommended for bid acceptance is determined to be within a reasonable margin and in keeping with currently prevailing commercial construction market trends. Funds are available in BES' FY 2019-20 budget in the Sewer System Operating Fund.</p>
<p>422 Accept bid of Moore Excavation, Inc. for the NW Thurman St Sewer Reconstruction Project for \$4,171,393 (Procurement Report - Bid No. 00001422) 10 minutes requested</p>	<p>The engineer's estimate for this project was \$4,680,000, and the confidence level was high. Based on bids received, BES anticipates the construction contract cost to be \$4,171,393, which is 10.9% under the engineer's estimate. Funds are available in BES' FY 2020-21 budget in the Sewer System Operating Fund.</p>

<p>423 Accept bid of Westech Construction Inc., for the SW Naito Parkway: SW Salmon St to I-405 Improvement Project for \$8,648,803 (Procurement Report - Bid No. 00001430) 10 minutes requested</p>	<p>The engineer's estimate for this project was \$8,648,803 or 3% under the engineer's estimate. The level of confidence was moderate. Funds are available for this project in the PBOT's FY 2019-20 and 2020-21 budgets and CIP. Resources from the Fixing Our Streets Program and Transportation System Development Charges will fund this work.</p>
<p>424 Accept bid of Goodfellow Bros. LLC., for the Road 10 Mile Posts 6.2 to 8.2 Improvements Project for \$2,773,570 (Procurement Report - Bid No. 00001451) 10 minutes requested</p>	<p>The engineer's estimate for this project was \$2,220,000, and the confidence level was low due to the 60% design. Based on bids received, the Water Bureau anticipates the construction contract cost to be 2,773,570, which is 24% over the engineer's estimate. The total construction cost recommended for bid acceptance is determined to be within a reasonable margin and in keeping with currently prevailing commercial construction market trends. Funds have been requested as part of the Water Bureau's FY 2020-21 budget and will be requested as part of the FY 2021-22 budget.</p>
<p>425 Accept bid of James W. Fowler Co. for the Downtown Old Town Urgent Sewer Pipe Rehabilitation Project for \$2,687,510 (Procurement Report – Bid No. 00001460) 10 minutes requested</p>	<p>The engineer's estimate for this project was \$3,286,000, and the confidence level was high. Based on bids received, BES anticipates the construction contract cost to be \$2,687,510, which is 18% under the engineer's estimate. Funds are available in BES' FY 2019-20 and FY 2020-21 budgets in the Sewer System Operating Fund.</p>

<p>*426 Amend loan repayment schedules of interfund loans from Portland Parks & Recreation System Development Charge Fund to Portland International Raceway Fund and to Pittock Parking Lot Capital Project (Ordinance) 10 minutes requested</p>	<p>No General Fund fiscal impact. This ordinance adjusts the loan repayment terms for the \$1.75 million interfund loan from the Parks SDC fund to Parks Portland International Raceway fund. This ordinance extends the repayment period from seven to nine years, discontinues principal and interest payments through FY 2019-20, and amends repayment in FY 2020-21 to interest-only payments with principal payments resuming in FY 2021-22 in \$250,000 installments through loan maturity in June 2027.</p>
<p style="text-align: center;">Commissioner Chloe Eudaly</p> <p style="text-align: center;">Bureau of Transportation</p> <p>427 Accept a grant in the amount of \$1,957,230 from the Oregon Department of Transportation and authorize Intergovernmental Agreement for the NE 12th Ave over I-84 & Union Pacific Railroad Bridge project (Second Reading Agenda 408)</p>	<p>The \$1.9 million grant from ODOT for structural and aesthetic upgrades to the existing bridge has a \$200,007 local match requirement which will be included in PBOT's FY 2020-21 Budget and five year CIP.</p>
<p style="text-align: center;">Commissioner Amanda Fritz</p> <p style="text-align: center;">Water Bureau</p>	

<p>*428 Authorize a one-time COVID-19 Small Business Utility Relief Program up to \$1 million and an Intergovernmental Agreement with Prosper Portland for an amount up to \$100,000 to administer the program (Ordinance) 15 minutes requested</p>	<p>Resources can be allocated for the immediate COVID-19 emergency to establish a one-time utility relief program up to \$1,000,000 to support COVID-19 impacted qualifying small businesses. Contingent upon Council authorization, the City desires to enter into an IGA with Prosper Portland in the amount not to exceed \$100,000. Funds will be provided by the Water Bureau in the amount of \$35,000 and the Bureau of Environmental Services in the amount of \$65,000. Funding is available in the bureaus' FY 2019-20 budgets and, as required, will be requested in future fiscal year budgets in order to support the COVID-19 Small Business Utility Relief Program.</p>
<p><u>WEDNESDAY, 2:30 PM, JUNE 3, 2020</u></p>	
<p>429 TIME CERTAIN: 2:30 PM – Amend the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, and Title 33 Planning and Zoning to revise the Single-Dwelling Residential designations and base zones (Previous Agenda 213; Ordinance introduced by Mayor Wheeler; amend Code Title 33 and Portland Comprehensive Plan and Zoning Maps) 2.5 hours requested</p>	<p>See below.</p>

429 Amend the Comprehensive Plan, Comprehensive Plan Map, Zoning Map and Title 33 Planning and Zoning to revise the Single-Dwelling Residential designations and base zones

This Ordinance revises Zoning Code development standards in Portland's single-dwelling zones (Chapter 33.110) and associated regulations in other Zoning Code chapters as part of the Residential Infill Project (RIP). The amendments also make related changes to the Zoning Map and the Portland Comprehensive Plan and Comprehensive Plan Map. The amendments include Zoning Code regulations that will be administered by the Bureau of Development Services and development bonuses for affordable housing that will be administered by the Housing Bureau.

The Zoning Code amendments increase the number of residential dwelling units allowed in ~68% of Portland's single-dwelling zoned land and provide development bonuses for projects that include affordable units. An economic feasibility analysis (Residential Infill Project, Volume 3, Appendix A) indicates that the changes enable the development of duplexes, triplexes and fourplexes and could generate as much as \$871 million of additional construction investment if the market supports demand for these housing types.

This Ordinance has the following direct fiscal impacts for the City:

Bureau of Development Services

These changes will impact BDS in terms of staff time for administration and review. One-time costs include staff training, creation of public information, and permit system updates. These costs are currently unknown. Additional ongoing staff time will be necessary as a result of applying floor area ratio (FAR) limits and for increased input from infrastructure bureaus as a result of lot confirmation zoning code amendments. BPS estimated the impacts to BDS staffing and found that there was an increase in permit review time of 555 hours (0.27 FTE) and an increase in lot confirmation/property line adjustment reviews of 223 hours (0.11 FTE). BPS states that the increase in permit review time increases the cost of providing services by an amount equivalent to a 3-cent increase per \$1,000 in valuation to the land use plan review fee. BDS plans to address the fee in an ordinance closer to the effective date of these changes. Due to the small increased costs in lot confirmation/property line adjustment reviews, BDS plans to use existing resources to cover those costs.

Portland Housing Bureau

The new affordable unit bonus provision will require additional PHB staff time to develop administrative rules for both ownership and rental units, as well as administer and monitor the bonus and compliance with the associated rules. The impact is uncertain as it is not known how many projects will use this bonus; PHB intends to monitor and ascertain staffing needs after the ordinance has been in effect.