

**PORTLAND CITY COUNCIL AGENDA
City Hall - 1221 SW Fourth Avenue
WEDNESDAY, 9:30 AM, JUNE 17, 2020**

Disposition:

Notice of Office Closure – The Council Clerk’s Office will be closed Friday, June 19, 2020 for a furlough day due to the COVID-19 Pandemic. If you need immediate assistance, please contact Josh McNeal at 503-865-6171 or Joshua.mcneal@portlandoregon.gov.

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 17, 2020 Council meetings is Tuesday, June 16, 2020 at 4:00 p.m.**

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

COMMUNICATIONS

TIMES CERTAIN

JUNE 17-18, 2020

<p>*460 TIME CERTAIN: 9:45 AM – Adopt the Supplemental Budget for the FY 2019-20 Over-expenditure process and make budget adjustments in various funds (Ordinance introduced by Mayor Wheeler) 30 minutes requested for 460-461</p>	<p>Approval of the exhibits to this ordinance reflect several individual budget changes in 20 funds, with a net total appropriation increase of \$23.3 million; this increase is primarily based on adjustments in the grants fund for potential federal reimbursement of COVID-19 related expenditures currently recorded in individual bureau budgets. Not all of these expenditures may ultimately be reimbursed. All changes are summarized in Exhibit 2.</p>
<p>461 Authorize temporary operating loans between various funds to provide interim funding to cover lags in federal, state and other grant reimbursements and other negative cash and fund balances (Resolution introduced by Mayor Wheeler)</p>	<p>\$17.0 million has been budgeted in the Over-Expenditure Ordinance reflecting the maximum authority for the interfund loan from the Transportation Operating Fund. The actual loan will be repaid in FY 2020-21.</p>
<p>*462 TIME CERTAIN: 10:15 AM – Approve the Mt. Hood Cable Regulatory Commission FY 2020-21 Fund Budget (Ordinance introduced by Mayor Wheeler) 30 minutes requested</p>	<p>The City of Portland’s annual allocation to the MHCRC FY 2020-21 Budget, as outlined in this ordinance, is included in the Council-approved FY 2020-21 budget as a Special Appropriation.</p>
<p>463 TIME CERTAIN: 10:45 AM – Amend Planning and Zoning Code, the Comprehensive Plan Map, and the Zoning Map to implement the Expanding Opportunities for Affordable Housing project (Second Reading Agenda 433; Ordinance introduced by Mayor Wheeler; amend Title 33) 5 minutes requested</p>	<p>See below.</p>
<p style="text-align: center;">CONSENT AGENDA – NO DISCUSSION Mayor Ted Wheeler</p>	

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<p>464 Proclaim measure 26-209, "Renew Motor Vehicle Fuel Tax for Street Repair, Maintenance, Safety" enacted and in effect (Proclamation introduced by Mayor Wheeler)</p>	<p>Budget authority for this measure is included in the FY 2020-21 Approved Budget. The bureau estimates the measure will raise approximately \$74.5 million over four years, beginning January 2021, however, this estimate was developed prior to COVID-19.</p>
<p>465 Reappoint Michael Harrison to the Development Review Advisory Committee for a term to expire January 5, 2022 (Report)</p>	<p>No fiscal impact.</p>
<p>466 Reappoint Richard Helzer, Ae-young Lee and Scott Bradley to the Towing Board of Review for terms to expire June 1, 2022 (Report)</p>	<p>No fiscal impact.</p>
<p style="text-align: center;">Bureau of Environmental Services</p>	
<p>467 Authorize grant agreement up to \$73,000 to Southwest Neighborhoods, Inc. to provide outreach, technical assistance and community involvement for watershed projects in westside sub-watersheds (Ordinance)</p>	<p>Maximum total costs for FY 2020-21 are \$73,000 to be allocated from BES's budget in the Sewer Systems Operating Fund.</p>
<p style="text-align: center;">Bureau of Planning & Sustainability</p>	

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<p>*468 Accept a grant in the amount of \$18,000 from Portland General Electric to support Smart City PDX Air Quality Sensor Project to improve engagement, communication and action on air quality and public health (Ordinance)</p>	<p>This Ordinance authorizes the City to accept a \$18,000 grant award from Portland General Electric to support the Smart City PDX Air Quality Sensor Project. The award is a multi-year grant in the amount of \$18,000 covering a period of October 2019 through December 2023. The first \$15,000 is available through December 31, 2020 and \$1000 available each subsequent year in 2021, 2022 and 2023. Budget appropriation of \$15,000 will be added during the FY 2020-21 Fall BMP and the remaining \$3,000 will be appropriated in subsequent fiscal years. The grant requires no match. Previous support for the Smart City PDX Air Quality Sensor project focused on sensor testing came from the National Institute of Standards and Technology (NIST) and Forth (Ordinance No 187957, Ordinance No 188326).</p>
<p>*469 Authorize the Bureau of Planning and Sustainability Director to execute application support grants for a total allocation not to exceed \$200,000 from the Portland Clean Energy Community Benefits Fund to assist small non-profit organizations serving historically marginalized communities to build their capacity and prepare for grant opportunities (Ordinance)</p>	<p>See below.</p>

***470** Accept a grant in the amount of \$12,000 from the Oregon State Historic Preservation Office to support historic preservation activities (Previous Agenda 434)

This Ordinance accepts a \$12,000 grant from the Oregon State Historic Preservation Office to support historic preservation activities within BPS for FY 2020-21. The bureau plans to use the resources to nominate one property to the National Register of Historic Places under the recently-completed African American Historic Resources of Portland, Oregon, Multiple Property Documentation report. A local match of \$12,000 is required and will be provided by the Bureau of Planning and Sustainability Urban Design Program in the General Fund for FY 2020/21. Match activities include project management, planning, review, public education, and land use activities associated with the Bureau of Planning and Sustainability's historic resources program. Resources will be in the form of salary, benefits, and materials and services.

<p>*471 Authorize a three year master Intergovernmental Agreement with Portland State University to partner on waste reduction and climate-related engagement research and analysis projects not to exceed \$500,000 (Previous Agenda 435)</p>	<p>BPS has had three long standing ongoing IGA's with Portland State University (PSU) to support the research and implementation of waste reduction programs, which total ~\$150,000 per year. Via task order through the master IGA in this ordinance, BPS will be extending funding for the multifamily waste reduction program (expired 4/1/20) and provide funding for collaborative climate research and analysis. As the two remaining IGAs expire, the bureau plans to execute the work through task orders issued under this agreement. BPS base budgets for FY 2019-20 and FY 2020-21 include \$40,000 per year to support this portion of the master IGA from the Solid Waste Management Fund. The bureau states that there are no changes to staff time or positions with this legislation.</p>
<p>472 Amend Intergovernmental Agreement with Metro to accept an additional \$80,000 and extend the expiration date for administration of the Master Recycler Program (Previous Agenda 436; amend Contract No. 30003529)</p>	<p>This Ordinance amends an Intergovernmental Agreement with Metro to accept an additional \$80,000 and extend the administration of the Master Recycler Program for FY 2020-21 and FY 2021-22. Local match in the amount of \$40,000 per year will be provided by the Solid Waste Management Fund in the FY 2020-2021 Bureau of Planning and Sustainability budget. The match will be in the form of salary, benefits, and materials and services. There are no changes to staff time or positions with this legislation.</p>

<p style="text-align: center;">Office of Management and Finance</p> <p>*473 Pay settlement of bodily injury lawsuit of Vincenza Scarpaci in the sum of \$150,000 involving the Portland Bureau of Transportation (Previous Agenda 440)</p>	<p>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.</p>
<p style="text-align: center;">Office for Community Technology</p> <p>*474 Amend contract with F.C. Hurdle Consulting, LLC in the amount of \$75,000 to provide additional community stakeholder engagement consulting services (Ordinance; amend Contract No. 31001591)</p>	<p>This ordinance increases the value of this contract from \$17,150 to \$92,150 and extends the contract through December 2020. Increased funding supports completion of the survey in socially distant environment and adds up to \$45,000 of the addition funds will be used to provide incentives (\$250 gift card with information about how to receive low cost Internet service and how to purchase low-cost devices) to residents and stipends to community-based organizations to participate. OCT anticipates covering increased costs within existing FY 2019-20 and FY 2020-21 resources.</p>
<p style="text-align: center;">Commissioner Chloe Eudaly Bureau of Transportation</p>	

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<p>*475 Authorize a contract with the lowest responsible bidder for the Connected Cully Project for an estimated \$4,721,823 (Ordinance)</p>	<p>Total cost for this project is \$4,721,823 (low confidence level). The project is included in PBOT's FY 2019-20 Budget and 5-year CIP and the FY 2020-21 Approved Budget and 5-year CIP. Local match is required for this federally funded project. The anticipated match amount is \$1,727,200 or 10.72%. The match includes a combination of GTR and SDC funds.</p>
<p>*476 Authorize a contract with the lowest responsible bidder for the Red Electric Trail project for an estimated \$4,756,291 (Ordinance)</p>	<p>The total project cost is \$4,756,291, including design and construction. Funding of the project comes from three sources: federal grants in the total amount of \$2,132,213, \$1,539,808 of PBOT's Transportation System Development Charge Program, and \$1,084,270 of Portland Parks Bureau System Development Charge Program.</p>

<p>*477 Authorize an Intergovernmental Agreement with Prosper Portland to add a 40% surcharge to film-related permits to support the Portland Film Office (Ordinance)</p>	<p>The ordinance authorizes an agreement between Prosper Portland and the City regarding implementation of the Portland Film Office and authorizes adding a 40% surcharge to film related permit fees issued by PBOT and Portland Parks and Recreation. All revenue collected from the surcharge will be transferred to Prosper Portland. On-going operating costs would be the responsibility of the department. Minimal one-time costs such as system configuration and training would be absorbed. The surcharge is expected to generate \$69,000 in FY 2020-21. \$72,000 of one-time General Fund resources has been allocated to Prosper Portland's FY 2020-21 budget for the staffing of the Film Office.</p>
<p>*478 Authorize an Intergovernmental Agreement with TriMet for Friends of Frog Ferry funding in the amount of \$40,000 as part of local match for the State Transportation Improvement Funds discretionary grant in the amount \$200,000 to develop the Frog Ferry Operations and Finance Plan (Ordinance)</p>	<p>The ordinance establishes an IGA with TriMet to transfer \$40,000 to TriMet as part of a local match to execute ferry passenger studies. This funding is included the bureau's FY 2019-20 Revised Budget and FY 2020-21 Approved Budget.</p>

<p>*479 Authorize a Maintenance Agreement with various parties for Willamette River Sellwood Bridge – Bridge No. 06879 (Ordinance)</p>	<p>No new funding is being requested for this action. The City is not taking on maintenance of the Sellwood Bridge, OR43 highway, or any other property owned by another party. In most instances, existing city infrastructure was replaced and brought to new standards by the project, which may reduce long-term maintenance costs.</p>
<p>480 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 (Second Reading Agenda 443)</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>City Auditor Mary Hull Caballero</p>	
<p>481 Certify abstract of votes cast, candidates elected and nominated, and proclaim measure approved at the Municipal Non-Partisan Primary Election held in the City of Portland on May 19, 2020 (Report)</p>	<p>This is part of the Auditor's reporting responsibilities and is already included in their budget, therefore no fiscal impact.</p>
<p>REGULAR AGENDA</p>	
<p>Mayor Ted Wheeler</p>	
<p>Office of Management and Finance</p>	
<p>482 Authorize a contract with Kennedy Jenks Consultants, Inc for the Columbia Boulevard Wastewater Treatment Plant Pipe Condition and Risk Assessment Program for a total not-to-exceed amount of \$2,500,000 (Ordinance; authorize Contract No. 30007311) 10 minutes requested</p>	<p>The Confidence Level Rating for the not-to-exceed contract amount of \$2,500,000 of this PTE project is high. Funding is available in BES's budget in the Sewer System Operating Fund.</p>

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<p>*483 Pay settlement of Ryan Aasland bodily injury claim for the sum of \$85,000, resulting from a motor vehicle collision involving the Portland Police Bureau (Previous Agenda 437)</p>	<p>Total cost to the City to settle the claim is \$85,000. 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>*484 Pay settlement of Natasha Lester bodily injury claim for the sum of \$35,000 involving the Portland Police Bureau (Previous Agenda 438)</p>	<p>Total cost to the City to settle the claim is \$35,000. 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>*485 Pay property damage claim of Mark Quemada in the sum of \$7,209 resulting from a motor vehicle collision involving the Portland Police Bureau (Previous Agenda 439)</p>	<p>Total cost to the City to settle the property damage claim is \$7,209.48. 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>486 Amend contract with Marsh USA Inc. for insurance brokerage services for Owner Controlled Insurance Phase VI (Second Reading Agenda 445; amend Contract No. 30004804)</p>	<p>This amendment adds five years to the contract term and \$555,195 for a new not-to-exceed amount of \$1,190,415. The Chief Procurement Officer is also authorized to execute subsequent amendments for an amount not to exceed \$194,805 for owner contingency. Funds have been requested in the FY 2020-21 budgets in the Water Fund and the Sewer System Operating Fund and will also be requested in these funds' budgets in the years up to FY 2025-26.</p>

<p>487 Adopt the annual budget of the City and establish appropriations for the fiscal year beginning July 1, 2020 and ending June 30, 2021 (Second Reading Agenda 452)</p>	<p>The ordinance adopts a total budget of \$5,606,308,596 including program expenses of \$2,901,859,724. The ordinance anticipates a variety of revenues and expenditures, but does not directly generate those revenues or incur the expenses. As filed, the Adopted Budget originally added a net of 6.58 positions as compared to the FY 2019-20 Revised Budget. However, several amendments approved by the Council last week reduce authorized positions significantly in the PPB budget and will lead to a net decrease in City Authorized FTE.</p>
<p>Parks & Recreation</p>	
<p>*488 Accept and appropriate a \$20,000 grant from Oregon Department of Education Community Nutrition Program Start-up and Expansion Grant for the At-Risk Afterschool and Summer Meals Program (Previous Agenda 441)</p>	<p>No General Fund fiscal impact. This ordinance provides grant funding for the Summer Lunch and Play program administered by the Parks bureau. This ordinance will increase the FY2020-21 Parks bureau Grants Fund budget by \$19,999.75.</p>
<p>489 Accept the 2019 Title 11 Trees Trust Funds report (Previous Agenda 446) 10 minutes requested</p>	<p>No fiscal impact.</p>
<p>490 Approve the designation of thirteen trees as City of Portland Heritage Trees and remove the Heritage Tree designation from one tree (Previous Agenda 447) 10 minutes requested</p>	<p>No fiscal impact.</p>
<p>Commissioner Chloe Eudaly Bureau of Transportation</p>	

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<p>*491 Authorize a contract with the lowest responsible bidder for the NW Cornell Tunnel Rehabilitation Project for an estimated \$3,180,000 (Previous Agenda 448) 15 minutes requested</p>	<p>The total budget for this project is \$3,180,000 (low confidence estimate) of which \$2.3M is from General Fund Capital Set Aside, \$880,000 is from preventive maintenance funding. The project is budgeted in PBOT's FY 2019-20 and FY 2020-21 budget and CIP.</p>
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WEDNESDAY, 2:00 PM, JUNE 17, 2020

<p>*492 TIME CERTAIN: 2:00 PM – Approve funding recommendations made by Children’s Levy Allocation Committee for July 1, 2020 – June 30, 2023 (Ordinance introduced by Mayor Wheeler) 30 minutes requested</p>	<p>No General Fund fiscal impact from accepting Allocation Committee funding recommendation.</p>
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<p>493 TIME CERTAIN: 2:30 PM – Amend Street Access Code and Transportation Administrative Rules to align with changes to the Residential Infill Project (Previous Agenda 454; Ordinance introduced by Commissioner Eudaly; amend Code Section 17.88.090 and TRN-1.26) 1 hour requested</p>	<p>This ordinance modifies code and administrative rules so that the configurations of housing units under the Residential Infill Project (RIP) are subject to the Local Transportation Improvement Charge (LTIC) program. The bureau estimated that the code changes to accommodate (RIP) would generate approximately \$1.5 million in revenue a year, however, the estimate was generated prior to COVID-19. The economic impact of the public health crisis is expected to reduce the revenue generated from the program.</p>
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THURSDAY, 2:00 PM, JUNE 18, 2020

<p>494 TIME CERTAIN: 2:00 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 457; Ordinance introduced by Mayor Wheeler; amend Code Title 33 and Portland Comprehensive Plan and Zoning Maps) 3 hours requested</p>	<p>See below.</p>
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463 Amend Planning and Zoning Code, the Comprehensive Plan Map, and the Zoning Map to implement the Expanding Opportunities for Affordable Housing project

CBO Analysis

This Ordinance implements recommendations from the Expanding Opportunities for Affordable Housing (EOAH) project, including amendments to Title 33 (Planning and Zoning Code). The recommended EOAH amendments allow institutions regulated through the Zoning Code as “Conditional Uses” to add housing without a new Conditional Use Review, if relevant conditions and standards are met. They also allow more flexibility for small increases in non-residential floor area, allow site area to be reduced, and allow removal of some parking for the development of housing, without a Conditional Use review. The recommendation also includes rezoning and changing the Comprehensive Plan map designations on 20 community-based sites to further housing opportunities, including affordable housing.

There are no direct financial impacts resulting from the adoption of this Ordinance; however, in the long term, the EOAH code and map changes could impact City finances and budgets through impacts to BDS fees and workloads, and to the number of affordable housing projects in the PHB pipeline. These are discussed more in depth below.

Bureau of Development Services Impacts:

The code changes being made with the EOAH project will likely reduce the number of Conditional Use applications that the BDS Land Use Services Division handles. This will reduce BDS revenue, but also reduce BDS workloads by a corresponding amount. BDS expects an increase in applications from institutions for either an Early Assistance Appointment or a Tier 3 Zoning Confirmation letter to verify that they are meeting these new requirements. Currently, this determination is done as part of the Conditional Use review. BDS, therefore, expects a shift in workload from Conditional Use Reviews to Early Assistance Appointments and Zoning Confirmation requests.

Portland Housing Bureau Impacts:

The EOAH amendments support the voluntary production of regulated and non-regulated affordable housing by community-based organizations. The ordinance may increase the number of faith-based organizations seeking funding from various PHB programs. The EOAH ordinance does not allocate any funds to these organizations, but the passage of more flexible zoning regulations could cause more inquiries to PHB from these organizations, with some staff time impacts to answer questions and guide these organizations toward partnerships with experienced affordable housing developers.

469 Authorize the Bureau of Planning and Sustainability Director to execute application support grants for a total allocation not to exceed \$200,000 from the Portland Clean Energy Community Benefits Fund to assist small non-profit organizations serving historically marginalized communities to build their capacity and prepare for grant opportunities (Ordinance)

CBO Analysis

This Ordinance authorizes the Bureau of Planning and Sustainability to execute Application Support Grants to support small non-profit organizations in capacity building in order to apply for grant funds from the Portland Clean Energy Community Benefits Fund (PCEF). Total allocation if the grants is not to exceed \$200,000. Resources are from the Portland Clean Energy Community Benefits Fund.

The Application Support Grant model allows non-profit organizations to apply for up to \$5,000 total funding in specific topic areas, to support their development of grant applications, staff time in attending trainings, engagement in community outreach and acquisition of needed technology. PCEF staff will administer the grants; BPS expects there will be some additional workload, but it will be covered by existing FTE.

PCEF staff intends to release a Request for Proposal (RFP) for an initial round of grant funding in August 2020, with an approximate total allocation of \$8 million in this round.

494 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

CBO Analysis

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 Impacts:

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 Impacts:

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.