

**PORTLAND CITY COUNCIL AGENDA
City Hall - 1221 SW Fourth Avenue
WEDNESDAY, 9:30 AM, SEPTEMBER 30, 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). Testimony is not taken on communications, reports, second readings, proclamations or presentations in accordance with Code 3.02.040 F. and G. 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.

The deadline to sign up for the September 30, 2020 Council meetings is Tuesday, September 29, 2020 at 4:00 p.m.

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

CONSENT AGENDA – NO DISCUSSION

Mayor Ted Wheeler

Office of Management and Finance

- *772** Authorize a Letter of Agreement between the City and the Portland Police Association representing Emergency Communications Dispatchers to amend the language in Article 7 of the Collective Bargaining Agreement to allow for one-hour forced overtime adjacent to 13-hour shifts (Ordinance)

This agreement results in a slight estimated savings for forced overtime by lowering the number of number of mandatory hours from two hours to one. The bureau will continue to rely on overtime to meet shift coverage due to delayed start dates for the next academy. As such, any savings from this agreement are likely to be used by the bureau as part of standard shift coverage.

<p>*773 Authorize an Intergovernmental Agreement with Portland Community College and a grant agreement with the Portland Community College Foundation for \$578,244 for Future Connect Scholarship program (Ordinance)</p>	<p>The ordinance authorizes a grant agreement between the City and Portland Community College Foundation in an amount not to exceed \$578,244 to continue support of the Future Connect Scholarship program. There is funding in the Special Appropriations FY 2020-21 budget dedicated for this purpose.</p>
<p>Commissioner Jo Ann Hardesty Portland Bureau of Emergency Management</p>	
<p>774 Dissolve the Unreinforced Masonry Building Workgroup (Resolution)</p>	<p>No fiscal impact.</p>
<p>Portland Fire & Rescue</p>	
<p>*775 Accept and appropriate a grant in the amount of \$238,095 from the Department of Homeland Security for a Portland Fire & Rescue Community Risk Assessment (Ordinance)</p>	<p>This action increases the bureau's FY 2020-21 grant budget by \$238,095 and will fund an external contract with a vendor experienced in fire risk assessments with knowledge of trends and innovations in the fire industry. Required 5% matching funds of \$11,905 will be supported by existing General Fund resources.</p>
<p>REGULAR AGENDA Mayor Ted Wheeler Bureau of Police</p>	

SEPTEMBER 30-OCTOBER 1, 2020

<p>776 Authorize application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for a grant in the amount of \$408,910 for the Edward Byrne Memorial Justice Assistance Grant Program FY 2020 Local Solicitation to assist the Portland-Metropolitan area law enforcement and criminal justice community to prevent and reduce crime and violence (Second Reading Agenda 764)</p>	<p>This action would authorize the City to apply for and receive a grant from Department of Justice (Bureau of Justice Assistance) in the amount of \$408,910. Awards for Multnomah County and the City of Gresham are included in this total. The City's share of the award would be \$203,717, which the Police Bureau intends to use to support a limited term Video Production Specialist to produce online training materials and videos for use in a remote environment.</p>
<p>Office of Management and Finance</p>	
<p>*777 Authorize changes to established Safety Net Program allowing the Director of Human Resources and Bureau Directors additional authority to enter into flexible safety net temporary leave, safety net severance, and reduction of hours agreements during FY 2020-21 and FY 2021-22 (Previous Agenda 745) 20 minutes requested</p>	<p>See below.</p>
<p>Portland Housing Bureau</p>	
<p>778 Approve and terminate limited tax exemptions for properties under the Homebuyer Opportunity Limited Tax Exemption Program (Resolution)</p>	<p>This Resolution approves 20 properties for the Homebuyer Opportunity Limited Tax Exemption program. The approved applications will increase revenue for the City of Portland in the form of a one-time application fee totaling \$9,000. A total of \$1,750 is collected for each completed application, \$900 goes towards Portland Housing Bureau administrative costs, and \$850 is paid to Multnomah County for administrative costs.</p>

***779** Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Koz on N Interstate located at 5460 N Interstate Ave (Ordinance) 15 minutes requested

This action would result in estimated foregone property tax revenues to the City totaling \$78,324 over ten years for 23 units affordable at or below 80% MFI. Total cost to all jurisdictions forgoing revenue is estimated at \$237,345. The estimated value of the tax exemption for the first year is \$25,771 (all jurisdictions), which equals approximately \$1,032 per affordable unit per year of affordability. The City will still benefit from property taxes collected on the improved value of the land during the exemption period. The City will pay Multnomah County the \$9,000 application activation fee if the application moves forward.

***780** Amend approved application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Marquam Hill Apartments-Building 2 located at 3178 SW 12th Ave to increase the number of affordable units (Ordinance; amend Ordinance No. 189645)

This action would result in estimated foregone property tax revenues to the City totaling \$11,646 over ten years for 2 units affordable at or below 60% MFI. Total cost to all jurisdictions forgoing revenue is estimated at \$34,263. The estimated value of the tax exemption for the first year is \$3,721 (all jurisdictions), which equals approximately \$1,714 per affordable unit per year of affordability. The City will still benefit from property taxes collected on the improved value of the land during the exemption period. The City will pay Multnomah County the \$1,700 application activation fee if the application moves forward. This an amendment to an existing approved MULTE application for this project, which already included 2 units affordable at or below 60% MFI, bringing the project total to 4 units affordable at or below 60% MFI.

***781** Authorize new construction financing in an amount not to exceed \$16,754,923 for the 115th Street Housing Limited Partnership or a Central City Concern affiliate (Ordinance) 20 minutes requested

This Ordinance requests City Council approval of financing in an amount up to \$16,754,923 using Portland Housing Bonds ("Portland Bonds") from fiscal years 2020-2022. Funding is to allow the 115th Street Housing Limited Partnership to construct a new 138-unit affordable housing project at 11560 SE Division Street, which will provide 138 units at or below 60% of AMI, including 7 Permanent Supportive Housing units which does not have rental support and are not subsidized by any Federal vouchers. The cost of PHB delivery of the units including community outreach, establishment and coordination of a Bond Oversight Committee, Project due diligence, construction monitoring, negotiations, loan documentation and regulatory agreement are anticipated and included in the PHB FY 20-21 Adopted Budget and is covered in the Program Delivery Fee. The financing amount is included in the PHB FY 2020-21 Adopted Budget and is also included in the bureau five-year forecast. The bureau is charging a regulatory compliance fee over the life of the projects to cover compliance monitoring costs. The project qualifies for System Development Charge ("SDC") and Construction Excise Tax ("CET") exemption and building permit waivers which are expected to total approximately \$2,399,399 in foregone City revenue. The proposed City funding

	<p>leverages more than \$26,347,866 of other public and private financing contributed by US Bank, Related NW, Central City Concern, and the Oregon Housing and Community Services Department.</p>
<p style="text-align: center;">Commissioner Chloe Eudaly Bureau of Transportation</p> <p>782 Assess benefited properties for street, sidewalk, stormwater, water main and sanitary sewer improvements in the SW 45th Ave and California St Local Improvement District (Second Reading Agenda 674; Ordinance; C-10048)</p>	<p>The total cost of the project is \$1,133,334.28 excluding pavement grind and inlay costs. The final assessment is in the amount of \$819,419.41 with the assessment rate of \$3.91 per square foot being \$0.38 or 9.1% below the estimated rate of \$4.22 per square foot at LID formation. Additional funding was provided by the Portland Bureau of Transportation in the amount of \$33,602.94 in Transportation System Development Charge (TSDC) funding and \$199,282.24 for overhead costs, and from the Portland Water Bureau in the amount of \$81,029.69.</p>
<p style="text-align: center;">Commissioner Amanda Fritz Bureau of Environmental Services</p>	

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<p>*783 Amend contract with Innovyze, Inc., for Hydraulic Network Analysis Software in the amount of \$756,473 (Previous Agenda 767; amend Contract No. 30006331)</p>	<p>BES seeks to amend the contract with Innovyze for this network analysis software for an additional amount of \$656,473. Funds are available in BES's FY 2020-21 budget in the Sewer System Operating Fund. The Water Bureau also seeks to amend the contract with Innovyze for additional licenses and software maintenance for an additional amount of \$100,000. Funds will be made available in the Water Bureau's FY 2020-21 budget. The total contract's not-to-exceed value will increase by \$756,473 from its current not-to-exceed value of \$841,792 to \$1,598,265, which will allow both bureaus to manage hydraulic network analysis software from Innovyze into one contract.</p>
<p>784 Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Balch Creek Trash Rack Retrofit Project No. E10583 for an estimated cost of \$3 million (Second Reading Agenda 768)</p>	<p>The estimated cost of \$3 million is of moderate confidence. Funding is available in BES's FY 2020-21 budget in the Sewer System Operating Fund.</p>

<u>WEDNESDAY, 2:00 PM, SEPTEMBER 30, 2020</u>	
<p>785 TIME CERTAIN: 2:00 PM – Declare intent to initiate local improvement district formation proceedings to construct water main improvements in the SW Quail Post Road Local Improvement District (Resolution introduced by Commissioner Fritz; C-10070) 45 minutes requested</p>	<p>If passed, this ordinance will create immediate impact of \$75,000 in construction costs to be absorbed in the current year Water Bureau budget. This project is not in the bureau’s current year CIP, but the phased nature of the project will mitigate any material impacts on water rates as the remaining \$1.7 million obligation (low-confidence estimate) will be expended from 2036 through 2038.</p>
<p>786 TIME CERTAIN: 2:45 PM – Transmit report to the City of Portland on Portland Police Bureau Officer-Involved Shootings and In-Custody Deaths by the Office of Independent Review (Report introduced by Auditor Hull Caballero) 2 hours requested</p>	<p>No immediate fiscal impact. Report findings do include recommended actions; however, there is no clear fiscal impact at this time.</p>
<u>THURSDAY, 3:30 PM, OCTOBER 1, 2020</u>	
<p>787 TIME CERTAIN: 3:30 PM – Appoint Amanda Squiemphen-Yazzie to the Portland Clean Energy Community Benefits Fund Committee for the balance of current Committee member Andrea Hamberg’s term to expire on November 7, 2021 (Report introduced by Mayor Wheeler) 30 minutes requested</p>	<p>There are no direct financial or budgetary impacts from this appointment. All costs are allocated from the Portland Clean Energy Community Benefits Fund as allowable administrative expense. Committee stipends are included in the bureau’s FY 2020-21 budget.</p>
<p>788 TIME CERTAIN: 4:00 PM – Consider appeal by Leonard Gionet, Yvonne Meekoms, and Mary Henry De Tesson, against the Design Commission’s decision to approve, with conditions, the Alamo Manhattan 4-block development in the South Waterfront Sub-District of the Central City Plan District (Previous Agenda 705 introduced by Commissioner Ryan; LU 20-102914 DZM AD GW) 1 hour requested</p>	<p>This is not a legislative action. There are no ongoing costs to the City associated with this quasi-judicial land use review. City staff costs to conduct Land Use Reviews and process appeals are generally fee-supported; in this case the appeal fee was paid by the appellant.</p>

***777 Authorize changes to established Safety Net Program allowing the Director of Human Resources and Bureau Directors additional authority to enter into flexible safety net temporary leave, safety net severance, and reduction of hours agreements during FY 2020-21 and FY 2021-22**

CBO Analysis

This Ordinance expands the Safety Net Program to allow for additional leave and reduced work-hour agreement options for City employees with increased caregiving responsibilities due to COVID-19. The ordinance also expands the Safety Net Program's severance option which currently provides a one-time severance payment and continuation of healthcare coverage for up to 6 months for certain categories of employees who are at risk of lay-off from City employment. Due to the financial impacts of the COVID-19 pandemic, the ordinance would allow the severance program to be offered, with the consent of a bureau director and manager/supervisor, to any employee or groups of employees, whether at risk of layoff or not, either one or a combination of the following: (1) continued coverage of healthcare for up to six months; and/or (2) cash payout. Total costs of one or a combination of these options shall not exceed \$15,000. Employees that take the severance package will not have recall rights.

It is difficult to calculate the potential costs of the expanded Safety Net Program as it depends largely on the number of employees that participate in the program, the options selected by staff, and how the productivity lost from reduced hours, leaves of absence, and separations are managed by the bureaus. The financial impact statement states that the expanded program should not result in increased overtime costs, but there may be short-term increased costs in Safety Net Severance and voluntary lay-off payouts upon separations, but anticipates vacancy savings will offset any increase in short-term expense. The ordinance also emphasizes that Bureau deliverables and timelines may need to be adjusted during this unprecedented time, but makes an exception for work of a critical nature (e.g. public safety, water main break). While the ordinance gives bureaus discretion to make decisions that work best for them, CBO notes that the expanded Safety Net Program could result in additional overtime and temporary staff costs if large numbers of staff participate in Safety Net Program simultaneously, particularly for bureaus that perform work that cannot be reprioritized.