

PORTLAND CITY COUNCIL AGENDA
City Hall - 1221 SW Fourth Avenue
WEDNESDAY, 9:30 AM, MARCH 3, 2021

Disposition:

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 March 3, 2021 Council meetings is March 2, 2021 at 4:00 p.m.

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

TIMES CERTAIN

<p>120</p>	<p>TIME CERTAIN: 9:45 AM – Complete periodic sunset review of the Tourism Improvement District two percent license fee as required by City Code Section 6.05.130 (Resolution introduced by Mayor Wheeler and Commissioner Mapps) 20 minutes requested for items 120-121</p>	<p>This ordinance continues the Tourism Improvement District (TID) 2% license fee which is used to promote Portland as a travel destination. Stays at hotels and short rentals generate Transient Lodging Taxes (TLT), 5% of which go directly to the General Fund.</p>
<p>121</p>	<p>Amend Portland Tourism Improvement District to add Tourism and Hospitality Recovery Surcharge and revise the periodic sunset review requirement (Ordinance introduced by Mayor Wheeler and Commissioner Mapps; amend Code Chapter 6.05)</p>	<p>A direct estimate of the addition TLT revenues generated by this surcharge is not provided given the factors that can affect the recovery. There are minor costs to the Revenue Division to implement these code changes, including updating forms and software programming. However, these changes are being implemented to minimize those costs and the expenses are within the Division's current budget so no budget changes are required.</p>
<p>122</p>	<p>TIME CERTAIN: 10:05 AM – Proclaim March 2021 to be Women's History Month (Proclamation introduced by Mayor Wheeler) 20 minutes requested</p>	<p>No fiscal impact.</p>

<p>123 TIME CERTAIN: 10:25 AM – Appeal by Walter Weyler representing the Downtown Neighborhood Association against the Design Commission’s decision to approve a ground level remodel of a 23-story mixed use building at 1000 SW Broadway, which is in the Downtown Sub-District of the Central City Plan District (Previous Agenda 93; Findings introduced by Commissioner Ryan; LU 20-176578 DZ) 10 minutes 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 waived because the appellant is a “recognized organization” as defined by City code.</p>
<p>124 TIME CERTAIN: 10:35 AM – Assess benefited property for street and mast arm traffic signal improvements from NW 9th Ave to north of NW 19th Ave in the NW Front Ave – Naito Pkwy Local Improvement District (Hearing introduced by Commissioner Hardesty; Ordinance; C-10056) 15 minutes requested</p>	<p>The total cost of the project is \$3,240,882. The property owner’s share for this project is \$1,077,743.46. Additional funding includes \$1.5 million in General Transportation Revenues (GTR) in paving preservation funds, \$403,842 in Transportation System Development Charge (TSDC) funding added after formation of the Local Improvement District (LID), and \$204,337.23 for overhead costs.</p>

CONSENT AGENDA – NO DISCUSSION

Mayor Ted Wheeler

Office of Management and Finance

***125** Authorize grant agreement with CareOregon, Inc. in amount not to exceed \$70,000 for development of the Behavioral Health Emergency Coordination Network to help individuals experiencing a behavioral health crisis (Ordinance)

Authorized as a part of the FY 2020-21 Fall BMP, the \$70,000 grant is funded by General Fund one-time resources, and is included in the Mayor's Office's budget.

Commissioner Jo Ann Hardesty

Bureau of Transportation

***126** Authorize a contract with the lowest responsible bidder for the Outer Halsey Safety Project (Ordinance)

The total project cost is \$3,071,000, funded through General Funds and Transportation System Development Charges (TSDCs). Costs for this project are included in PBOT's FY 20-21 and FY 21-22 budget and five-year CIP forecast.

127 Amend Public Improvement Definitions to restore Responsible Engineer and amend incorrect citations within Public Improvement Definitions, Local Improvement District procedure and Property Owner Responsibility for Streets (Second Reading Agenda 111; amend Code Sections 17.04.010, 17.08.010 and 17.42.040)

There are no financial impacts associated with the update to the code text.

Fire & Police Disability & Retirement

*128	Amend contract with Milliman, Inc. to extend contract by two years and increase contract amount by \$40,000 for amount not to exceed \$615,000 (Ordinance; amend Contract No. 30003232)	There is no financial impact to this amendment. The bureau's budget includes this as a planned annual expense.
REGULAR AGENDA		
Mayor Ted Wheeler		
129	Designate the first Monday in March as COVID-19 Memorial Day (Proclamation) 25 minutes requested	No fiscal impact.
Office of Management and Finance		
130	Appoint Robert Taylor as City Attorney effective February 22, 2021 (Resolution) 15 minutes requested	No fiscal impact.
*131	Authorize a contract with Astound Broadband LLC, Inc. in the amount of \$11 million to provide fiber optic network services (Ordinance) 20 minutes requested	For \$11 million, the City will be purchasing a ten-year fixed rate lease for dark fiber, not subject to increases in the Consumer Price Index, with the asset still belonging to the vendor. The fiber transition project's FY 2021-22 budget of \$2.5 million is funded by technology reserves in BTS's Technology Services Fund. Although other local governments' financial contributions to the project make up almost half of the contract's amount, the contract is solely with the City.

<p style="text-align: center;">Commissioner Carmen Rubio</p> <p style="text-align: center;">Parks & Recreation</p> <p>*132 Amend Interim Management Agreement with Pioneer Courthouse Square, Inc. to extend the term of the agreement and increase amount by \$570,000 (Ordinance; amend Contract No. 30006698) 10 minutes requested</p>	<p>No fiscal impact. This contract is budgeted in the Parks Budget and the augmented contract total of \$110,131 received funding as part of the FY 2020-21 Fall BMP (\$22,185 for Protest Damages and \$87,946 for COVID restroom services). The bureau has built next year's cost obligation into their FY 2021-22 Requested Budget.</p>
<p style="text-align: center;">Commissioner Jo Ann Hardesty</p> <p style="text-align: center;">Bureau of Transportation</p> <p>*133 Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the NE 60th Avenue and NE Halsey Street Area Improvements project, through the exercise of the City's Eminent Domain Authority (Ordinance) 10 minutes requested</p>	<p>There are no financial impacts associated with the update to the code text.</p>

<p>*134 Authorize the Bureau of Transportation to acquire certain temporary rights necessary for construction of the North Lombard Street: St Louis-Richmond Roadway Improvement project, through the exercise of the City’s Eminent Domain Authority (Ordinance) 10 minutes requested</p>	<p>Property values associated with the property acquisitions have not yet been quantified since negotiations are not completed; however, an estimate for the right of way phase has been budgeted in the Transportation Operating Fund. The level of confidence for the estimate is moderate. Funds are included in the FY 2021-22 Requested Budget.</p>
<p style="text-align: center;">Office of Community and Civic Life</p> <p>135 Authorize the addition of two coordinator positions in the Office of Community and Civic Life and authorize a grant agreement with a nonprofit organization to provide liability insurance coverage for neighborhood associations and place-based community groups in Southwest Portland (Ordinance) 30 minutes requested</p>	<p>See below.</p>
<p style="text-align: center;"><u>WEDNESDAY, 2:00 PM, MARCH 3, 2021</u></p> <p>136 TIME CERTAIN: 2:00 PM – Amend the Comprehensive Plan Map and the Zoning Map to implement the Expanding Opportunities for Affordable Housing – Package B (Ordinance introduced by Commissioner Rubio) 2 hours requested</p>	<p>See below.</p>

REGULAR AGENDA

***137** Waive Portland Zoning Code requirements for the ground floor/first floor of buildings located in the Design Overlay Zone for the installation of lighting and security gates on exterior facades during COVID-19 emergency (Ordinance introduced by Mayor Wheeler and Commissioner Ryan; waive Code Chapter 33.420) 30 minutes requested

This ordinance temporarily suspends, for the duration of the COVID-19 declaration of emergency, the requirement that installations of lighting and security gates go through a Design Review prior to moving forward. Permitting and inspection requirements would still apply. Although this ordinance may slightly reduce workload by reducing the number of Design Reviews, BDS does not anticipate significant financial impacts of this ordinance.

Commissioner Mingus Mapps

Bureau of Environmental Services

***138** Authorize the Bureau of Environmental Services to acquire certain permanent and temporary property rights necessary for construction of the NW Aspen Combined Sewer Extension Project No. E10953, through the exercise of the City's Eminent Domain Authority (Ordinance) 10 minutes requested

BES's level of confidence in the cost estimates for the project is high. Funds to cover the expenses of acquiring easements are available in the bureau's FY 2020-21 budget in the Sewer System Operating Fund.

<p>139</p>	<p>Authorize a contract with CherryRoad Technologies Inc. for Infor Public Sector licenses and software for an amount not to exceed \$4,060,000 over a five-year period (Second Reading Agenda 113)</p>	<p>The level of confidence in the estimated cost of \$4,060,000 is optimal. Funding is available in the Sewer System Operating Fund's and Water Fund's FY 20-21 Adopted Budget, as well as those funds' FY 21-22 Requested Budgets.</p>
<p>Water Bureau</p>		
<p>140</p>	<p>Authorize the purchase of 2.00 acres of real property at 35227 SE Carpenter Lane in the amount of \$875,000 to be used for the Bull Run Filtration Project (Ordinance) 10 minutes requested</p>	<p>No fiscal impact, this cost is in the bureau's budget for this CIP project.</p>

135 Authorize the addition of two coordinator positions in the Office of Community and Civic Life and authorize a grant agreement with a nonprofit organization to provide liability insurance coverage for neighborhood associations and place-based community groups in Southwest Portland

CBO Analysis:

When Council authorized Civic Life to make grant agreements for FY 2020-21 with the nonprofit District Coalition Offices (DCOs) on July 9, 2020, Council held funding intended for Southwest Neighborhoods, Inc. (SWNI) for future consideration pending the results of a forensic audit. The results of that audit led Civic Life to reconsider its funding relationship with SWNI, and this ordinance would transition City support for neighborhoods in Southwest Portland to a City-staffed DCO model, which is currently the model for North Portland and East Portland.

This ordinance creates two new full-time, permanent FTE and authorizes Civic Life to enter into a grant agreement with a nonprofit partner to provide liability insurance coverage for neighborhood associations. Civic Life had \$297,000 allocated in its FY 2020-21 budget for support of SW Portland neighborhood groups; of this, \$69,000 covered the cost of the financial audit of SWNI, but sufficient funds remain to cover the cost of two positions for the remainder of this fiscal year. Civic Life has included 5% reductions to DCO funding as part of its constraint package for the FY 2021-22 requested budget, making future-year ongoing funding closer to \$282,000. Although exact costs will remain somewhat uncertain until the positions are filled, North Portland Neighborhood Services (NPNS), another City-staffed DCO which has 2.38 authorized FTE, has a FY 2021-22 requested budget of \$287,635. Future-year resources available in Civic Life's base budget would put this new City-staffed DCO at a relatively comparable funding level to NPNS.

This ordinance creates new authorized positions outside of a budget process. Human Resources Administrative Rule 7.10 allows for Council to add new Authorized Unfunded positions by

ordinance, but states that these positions cannot be filled without additional action to authorize funding for the positions. Should this ordinance be approved, creating the positions, the budget adjustment to realign existing resources to support these positions can be made and approved by Council in the Spring Budget Monitoring Process, which will be finalized by mid-April, allowing Civic Life to move ahead with hiring for these positions.

136 Amend the Comprehensive Plan Map and the Zoning Map to implement the Expanding Opportunities for Affordable Housing – Package B

CBO Analysis:

This Ordinance implements recommendations from the Expanding Opportunities for Affordable Housing project (Ordinance 190000) by amending the Zoning Map and Comprehensive Plan Map for two sites where community development projects, including affordable housing developments, are planned. There are minimal direct financial impacts from the Ordinance. The map changes allow for a higher intensity of uses on four properties, but it is not expected to impact BDS fees or workload. The changes do have the potential to add affordable housing projects to the PHB pipeline as they support the voluntary production of regulated and non-regulated affordable housing by community-based organizations. For example, one of the institutions receiving zoning changes is planning to develop an affordable housing project. BPS notes that this could add to the number of faith-based organizations seeking funding from various PHB programs and seeking guidance from PHB on affordable housing development questions, which could result in increased PHB workload. The extent of the increased workload and correlated financial impacts on PHB is currently unknown.