

**PORTLAND CITY COUNCIL AGENDA**  
**City Hall - 1221 SW Fourth Avenue**  
**WEDNESDAY, 9:30 AM, MARCH 24, 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](http://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](mailto: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](http://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 24-25, 2021 Council meetings is March 23, 2021 at 4:00 p.m.**

**Email the Council Clerk at [councilclerk@portlandoregon.gov](mailto:councilclerk@portlandoregon.gov) with any questions.**

**CONSENT AGENDA – NO DISCUSSION**

**169** Reappoint Jeff Bachrach and Martha Williamson to the Development Review Advisory Committee for terms to expire September 12, 2022 and October 10, 2023 (Report introduced by Mayor Wheeler and Commissioner Ryan)

No fiscal impact.

**\*170**

Authorize Directors of the Bureau of Environmental Services and Bureau of Development Services to apply to the Federal Emergency Management Agency for floodway and floodplain map revisions on behalf of the City (Ordinance introduced by Commissioners Mapps and Ryan)

This ordinance authorizes the directors of BES and BDS to apply directly to FEMA for floodway or floodplain map revisions as required by a recent FEMA policy change. The alternative would be for each revision to go through Council approval, lengthening the process. The FEMA policy change adds substantial time and cost to certain City projects—up to \$100,000 and an additional year for some river restoration projects, according to BES estimates. Though this ordinance will somewhat reduce the time involved in complying with the policy change, the bureaus do not expect it to substantially reduce the \$100,000 per project cost.

**Mayor Ted Wheeler**

**Office of Management and Finance**

**MARCH 24-25, 2021**

<p><b>171</b> Accept recommendation of the Central Eastside Industrial Council and approve the removal of the 2.3 percent annual escalator amount for Central Eastside Together Enhanced Service District license fees for one year to begin July 1, 2021 (Resolution)</p>	<p>The 2.3% increase is based on revenues to be collected for the upcoming year which is yet unknown, but is expected to be in the range of \$20,000 to \$30,000. The removal of the escalator is not expected to result in a significant decrease in services that the ESD provides. It is not expected to impact contract service levels or contract employee wages.</p>
<p><b>*172</b> Amend Intergovernmental Agreement between the Office of Management and Finance and Portland State University to pay the City's pro-rata share of interim property management services for the new commercial multi-level condominium building at 4th and Montgomery not to exceed \$451,000 (Ordinance; amend Contract No. 30007662)</p>	<p>Standard monthly expense is not-to-exceed \$40,000 per month from January 2021 thru October 2021 for a total not-to-exceed amount of \$400,000 for the 4<sup>th</sup> and Montgomery building. The IGA also includes \$51,000 for the City's pro-rata share of the initial reserve contribution. PSU will reconcile with the City any overpayment or underpayment upon completion of the Condominium Project. Funding for the IGA is included in OMF's FY 2020-21 Revised Budget and FY 2021-22 Requested Budget.</p>
<p style="text-align: center;"><b>Commissioner Carmen Rubio</b> <b>Bureau of Planning and Sustainability</b></p>	

**MARCH 24-25, 2021**

**173**

Consent to the transfer of Gruetter Sanitary Service Inc. residential solid waste, recycling, and composting collection franchise to Portland Disposal & Recycling (Ordinance)

No fiscal impact.

---

<p><b>Commissioner Jo Ann Hardesty</b></p> <p><b>Bureau of Transportation</b></p>		
<p><b>*174</b></p>	<p>Authorize a contract with Oregon Department of Transportation for the purpose of cost sharing power and maintenance responsibilities for traffic signals, rectangular rapid flash beacons, and other traffic control devices along state facilities within Portland city limits (Ordinance)</p>	<p>The total cost of reimbursement from ODOT is estimated to be \$235,000 annually. The revenues have been budgeted in FY 2020-21 Revised Budget and FY 2021-22 Requested Budget as this is an existing annual revenue stream that is continuing.</p>
<p><b>*175</b></p>	<p>Authorize a contract with WSP USA for design and surveying services in amount not to exceed \$1,766,410 (Ordinance)</p>	<p>The \$1,766,410 project costs are currently budgeted in the Bureau's FY 2020-21 Revised Budget and the FY 2021-22 Requested Budget.</p>
<p><b>176</b></p>	<p>Authorize a Subrecipient Grant Agreement to Community Cycling Center in the amount of \$20,000 for FY 2020-21 and FY 2021-22 for the Parkrose School District Safe Routes to School program (Second Reading Agenda 158)</p>	<p>This grant is included in PBOT's budget for the current fiscal year and the Bureau's FY 21-22 Requested Budget.</p>
<p><b>REGULAR AGENDA</b></p>		
<p><b>177</b></p>	<p>Appoint Kimberly Moreland to the Portland Historic Landmarks Commission for term to expire March 24, 2025 (Report introduced by Mayor Wheeler and Commissioner Ryan) 20 minutes requested</p>	<p>No fiscal impact.</p>

<p style="text-align: center;"><b>Mayor Ted Wheeler</b> <b>City Budget Office</b></p> <p><b>178</b> Amend Portland Utility Board Code with housekeeping changes for clarity and to increase equity and inclusion (Ordinance; amend Code Chapter 3.123) 10 minutes requested</p>	<p>No direct fiscal impact. It could allow the potential for stipends once policy is developed. Estimate annual fiscal impact could be up to \$5,500. Determined as allowable expense for rates so would be divided between PWB and BES.</p>
<p style="text-align: center;"><b>Office of Management and Finance</b></p> <p><b>*179</b> Authorize contract with Dell Marketing L.P. to purchase Microsoft Office 365 licenses and Microsoft software as a service for amount not to exceed \$6,500,000 for a three year period (Ordinance) 20 minutes requested</p>	<p>Expenses associated with this agreement are estimated not to exceed an amount of \$6,500,000 for a three year period. Funding will be provided by bureaus that have Microsoft Office 365 licenses or subscribe to Microsoft software as a service.</p>

<p><b>180</b> Authorize price agreements for wastewater treatment and structural engineering services in support of the Bureau of Environmental Services' Columbia Blvd Wastewater Treatment Plant in amount not to exceed \$17,125,000 (Ordinance) 10 minutes requested</p>	<p>A total of five price agreements, with a maximum budget of \$3,125,000 each, will be issued for wastewater engineering services. A total of three price agreements, with a maximum budget of \$500,000 each, will be issued for structural engineering services. The estimated cost of \$17.1 million will be funded over the five-year period through annual appropriations in the BES budget. Funding for the projects is available in BES's FY 2021-25 budgets and forecasts in the Sewer System Operating Fund.</p>
<p style="text-align: center;"><b>Commissioner Jo Ann Hardesty</b> <b>Bureau of Transportation</b></p> <p><b>181</b> Assess benefited properties for street, sidewalk, stormwater, and mast arm traffic signal improvements at the NW 23rd Ave, Vaughn St, and U.S. 30 intersection in the NW 20th Ave Local Improvement District (Hearing; Ordinance; C-10049) 10 minutes requested</p>	<p>The total property assessment is \$8,300,467. SDC credits of \$1,901,804 are being offered. PBOT has already collected \$2,264,888 in SDC revenue as a result of this LID enabling development, with additional development pending.</p>
<p style="text-align: center;"><b>Commissioner Mingus Mapps</b> <b>Bureau of Environmental Services</b></p>	

**MARCH 24-25, 2021**

**182**

Amend contract with HDR Engineering, Inc. for additional support services for the Columbia Boulevard Wastewater Treatment Plant Renewable Natural Gas Facility Project No. E10033 for \$283,039 (Second Reading Agenda 164; amend Contract No. 30003218)

The established cost for the contract amendment is \$283,039 for a total amended contract amount of \$2,028,849. The level of confidence in the estimate high. Funds are available in the BES's FY 2020-21 budget in the Sewer System Operating Fund. This is a revenue generating project. When the RNG Facility is complete and operational in 2021, it is expected to generate revenue in the range of \$3 million to \$8 million a year. The expected simple payback for the project is within 4 to 8 years.

**WEDNESDAY, 2:00 PM, MARCH 24, 2021**

For items 183 and 184, no additional oral testimony will be heard. The written record will remain open until March 26, 2021 at 5:00 p.m. Submit written testimony to

<https://www.portlandmaps.com/bps/mapapp/proposals/#/s2hc>

**\*183**

**TIME CERTAIN: 2:00 PM** – Amend Title 33 Planning and Zoning to facilitate the provision of shelter and housing options for Portlanders in need (Previous Agenda 165; Ordinance introduced by Mayor Wheeler and Commissioners Rubio and Ryan; amend Code Title 33) 3 hours requested for items 183-184

See below.



**\*184** Amend City Code Health and Sanitation, Emergency Code, Public Improvements, Water, Property Maintenance Regulations and Affordable Housing to facilitate the provision of shelter and housing options for Portlanders in need (Previous Agenda 166; Ordinance introduced by Mayor Wheeler and Commissioners Rubio and Ryan; amend Code Titles 8, 15, 17, 21, 29, and 30)

See below.

**THURSDAY, 2:00 PM, MARCH 25, 2021**

**185**      **TIME CERTAIN: 2:00 PM** – Accept the 2020-21 Annual Report on Sister City Activities (Report introduced by Mayor Wheeler) 1 hour requested

No fiscal impact.

**\*183** Amend Title 33 Planning and Zoning to facilitate the provision of shelter and housing options for Portlanders in need

**CBO Analysis**

This Ordinance amends Portland's Planning and Zoning Code (Title 33) in order to expand shelter and housing options throughout the city. The four most significant code changes are:

- Providing more flexibility for shelter siting,
- Establishing outdoor shelters as a new community service use,
- Liberalizing the group living allowances, and
- Allowing permanent occupancy of recreational vehicles and tiny house on wheels.

There are several other smaller code changes discussed in Exhibit B. These changes do not have a direct financial impact on the City's resources. Although this Ordinance reduces the level of regulation that applies to some types of housing and shelter, it does not create new regulations that would require any new Bureau of Development Services (BDS) or Portland Housing Bureau programs. However, any changes in zoning may impact property values and have eventual impacts on property tax revenue, but this impact is currently unknown.

Since the intent of these changes is to enable an increase in the development of shelters and affordable housing units in Portland, these zoning codes changes could result in an increase in future commitments from the City for development and/or operational costs for shelters and affordable housing developments. However, this potential increase is also currently unknown. This action removes regulatory barriers but does not commit resources for the additional facilities.

Other potential future indirect financial impacts to the City and other stakeholders include:

- **Conditional Use review:** This Ordinance reduces the number of shelters that would require Conditional Use review, which the current zoning code requires for opening a shelter. Application fees for the review range from \$6,000 to \$26,000 and are paid to BDS to facilitate cost recovery of the program. The change will result in less workload and revenues to BDS, and also will result in savings to the Joint City-County Office of Homeless Services and other entities involved in opening new shelters.
- **Reduction in unsanctioned camping impacts:** the project aims to reduce the number of people camping in unsanctioned locations in the public right of way and other public spaces by making it easier to open sanctioned managed facilities. In the long term, the bureau expects

this will help reduce City expenses related to responding to unsanctioned camping impacts, such as those currently funded by PBOT, Parks, and BES, among others.

- **Group Living Classifications:** The project reclassifies Group Living from a Conditional Use to a use that is allowed by right in more zones. Single Room Occupancy (SRO) housing is one type of Group Living use that is sometimes included in affordable housing projects. By removing the Conditional Use requirements, the project will reduce the cost to obtain permits for certain affordable housing projects that incorporate SRO configurations.
- **Household and Group Living Development Fees:** By changing the code definitions of Household and Group Living, the project could impact how some development projects are classified, which could have impacts on fees that apply to those projects, or how Systems Development Charges (SDCs) are assessed. These changes will primarily impact apartment units and houses with a large number of bedrooms. These impacts are expected to be minor because there are a limited number of projects that are configured this way.
- **BDS Staff capacity and Land Use Services Fees:** Changes to the Zoning Code in this ordinance will require BDS to make a small onetime investment in staff time in 2021 to update informational handouts and other public information. This may include new summaries of regulations impacting RV/Tiny House on Wheels, Group Living uses, and Community Service uses. There may be a small decrease in the amount of land use review fees collected by BDS, and a small decrease in the Land Use Services Division workload. However, the bureau expects the effect to be minimal as the number of Conditional Use Reviews for Group Living and shelters has only averaged one or two applications per year.

**\*184** Amend City Code Health and Sanitation, Emergency Code, Public Improvements, Water, Property Maintenance Regulations and Affordable Housing to facilitate the provision of shelter and housing options for Portlanders in need

### **CBO Analysis**

This Ordinance is related to Item #165, which adopts the recommended Shelter to Housing Continuum changes to Title 33 – Planning and Zoning. This companion secondary ordinance adopts the supporting changes to Portland City Code Titles 8, 15, 17, 21, 29, and 30. Most of the changes made with this second ordinance are technical in nature – primarily to align terminology definitions across various City titles. The largest substantive changes in this second ordinance are the authorizing language in Title 29 related to the occupancy of RVs and tiny houses on wheels, and changes to several City titles to clarify that the City’s System Development Charge (SDC) exemption for shelters will also apply to the new Outdoor Shelter category. The ordinance also clarifies that the bureaus will not charge SDCs for the utility hookups serving individual occupied RVs or tiny houses on wheels.

There are no significant financial or budgetary impacts expected from aligning these definitions; however, the project will require BDS to make a small one-time investment in staff time in 2021 to update informational handouts and other public information describing the Title 29 regulations about RVs and tiny house on wheels. By changing these regulations, the ordinance will also have minor impacts on BDS’s code enforcement staff priorities. The Title 29 changes may also create some additional plumbing and electrical permit applications for the required utility connections.

By clarifying that the City's SDC exemption for shelters will also apply to the new Outdoor Shelter category, this ordinance could have minor impacts on SDC revenue. This impact is expected to be minimal because this is a new land use category that had not previously been routinely permitted before.