

PORTLAND CITY COUNCIL AGENDA
City Hall - 1221 SW Fourth Avenue
WEDNESDAY, 9:30 AM, MAY 19, 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 May 19, 2021 Council meetings is May 18, 2021 at 4:00 p.m.

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

TIMES CERTAIN

<p>351 TIME CERTAIN: 9:45 AM – Authorize an agreement with Travel Portland for the marketing and promotion of convention business, tourism, and overnight lodging using a sole source procurement and provide for payment (Ordinance introduced by Mayor Wheeler and Commissioner Mapps) 30 minutes requested</p>	<p>Based on the terms of the agreement with Travel Portland, the City will pay a portion of the 1% Transient Lodging Tax and 3% Tourism Improvement District less than administrative fees and expenses outlined in the agreement to be used for promotion of overnight tourism and improvement of the lodging and hospitality business environment.</p>
<p>352 TIME CERTAIN: 10:15 AM – Authorize execution of an Amended and Restated Agreement with Sport Oregon for national and international sports marketing activities and event recruiting services to extend contract by five years not to exceed \$275,000 over five years (Ordinance introduced by Mayor Wheeler; amend Contract No. 30005536) 15 minutes requested</p>	<p>Funding for this contract extension is included in the City's FY 2021-2022 Approved Budget. The original contract (2016-2021) amount was for a total of \$250,000 paid in installments of \$50,000 per year. This contract amendment extends the contract by five years (2021-2026) and increases the amount of the annual payment by \$5,000 per year for a total of \$275,000 for five years. According to the bureau, the increase in annual payments is consistent with consumer price index escalation using the Bureau of Labor and Statistic's CPI-U escalation calculator for the Portland Metro Area.</p>

<p>353 TIME CERTAIN: 10:30 AM – Appoint members to the New Portlanders Policy Commission for terms to expire May 24, 2024 (Report introduced by Mayor Wheeler and Commissioner Hardesty) 15 minutes requested</p>	<p>No fiscal impact.</p>
<p style="text-align: center;">CONSENT AGENDA – NO DISCUSSION</p> <p style="text-align: center;">Mayor Ted Wheeler</p> <p style="text-align: center;">Office of Management and Finance</p> <p>354 Amend Fair Wage Policies Code to reflect current minimum wage rate index (Second Reading Agenda 333; amend Code Section 3.99.020)</p>	

<p>Commissioner Jo Ann Hardesty</p> <p>Bureau of Transportation</p>		<p>The proposed project will cost \$130,000. PBOT has an existing BIKETOWN program with staff and program costs for the BIKETOWN for All portion covered by a combination of General Transportation Revenues and sponsorship revenues. The proposed program would enhance the benefit of the BIKETOWN for All program by providing free BIKETOWN ride credit. This additional benefit is fully covered by the grant. Funding is included in the FY 2021-22 Proposed Budget.</p>
<p>355</p>	<p>Accept a grant in the amount of \$130,000 from Portland General Electric Drive Change Fund and authorize an agreement to provide BIKETOWN for All ride credit (Second Reading Agenda 337)</p>	
<p>Commissioner Carmen Rubio</p> <p>Parks & Recreation</p>		<p>No fiscal impact — accepting a report.</p>
<p>356</p>	<p>Accept the 2020 Title 11 Trees Fund Report (Report)</p>	
<p>REGULAR AGENDA</p> <p>Mayor Ted Wheeler</p>		<p>No fiscal impact.</p>
<p>357</p>	<p>Proclaim May 2021 to be Portland Nurses Month (Proclamation) 10 minutes requested</p>	
<p>Office of Management and Finance</p>		

<p>358 Accept bid of Stellar J Corporation for the Ankeny Pump Station Odor Treatment System Rehab Project for \$1,530,000 (Procurement Report - ITB No. 00001614) 15 minutes requested</p>	<p>The engineer's estimate for this project was \$1,200,000 and the confidence level was High. Based on the proposal received, BES anticipates the construction contract cost to not exceed \$1,530,000 which is 27.5% above the engineer's estimate. Funds are available in BES's FY 2020-21 and FY 2021-22 budgets in the Sewer System Operating Fund.</p>
<p>359 Authorize a borrowing of not more than \$60,470,000 in anticipation of the Fire and Police Disability and Retirement Fund levy for FY 2021-22 (Ordinance)</p>	<p>This ordinance allows FPDR to sell Tax Anticipation Notes to cover bureau expenses (pensions and disability claims) to bridge the revenue gap between the depletion of beginning fund balance and property tax revenue collected in November. The TANs are sold and repaid in the same fiscal year, and are budgeted annually in the bureau's budget.</p>
<p style="text-align: center;">Commissioner Dan Ryan Bureau of Development Services</p> <p>360 Amend permit fee schedules for building, electrical, land use services, mechanical, enforcement, plumbing, signs, site development, and land use services fee schedule for the Hearings Office (Second Reading Agenda 325)</p>	<p>See below.</p>

Commissioner Jo Ann Hardesty

Bureau of Transportation

***361** Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the Pedestrian Safety Improvements: Americans with Disabilities Act Accessible Sidewalks Project through the exercise of the City’s Eminent Domain Authority (Ordinance) 10 minutes requested

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 low to moderate. Funds are available in the current year and the FY 2021-2022 Approved Budget.

***362** Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the Signal Rebuild – SE 52nd Ave and SE Woodstock Blvd Project through the exercise of the City’s Eminent Domain Authority (Ordinance) 10 minutes requested

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 low to moderate. Funds are available in the current year and FY 21-22 Approved Budget.

<p style="text-align: center;">Fire & Rescue</p> <p>363 Authorize a five-year joint development agreement with Pierce Manufacturing Inc. for a reduced carbon emissions fire apparatus not to exceed \$837,875 (Second Reading Agenda 342)</p>	<p>Not-to-exceed amount includes \$690,000 for purchase of fire apparatus and \$147,875 for the purchase and installation of a charging system. Ongoing maintenance costs are expected to be similar to existing apparatus. One-time contract costs will be funded from the Fire Bureau's existing apparatus replacement reserves.</p>
<p style="text-align: center;">Office of Community and Civic Life</p> <p>*364 Authorize grant agreements with six nonprofit organizations through the Diversity and Civic Leadership Program for \$851,646 for the period July 1, 2021 through June 30, 2022 (Ordinance) 20 minutes requested</p>	<p>This ordinance authorizes the Civic Life director and City Auditor to execute FY 2021-22 grant agreements with six community organizations in a total amount not to exceed \$851,646 for the Diversity and Civic Leadership program. These resources are included in the FY 2021-22 Approved Budget for Civic Life, and will be available for this purpose pending adoption of the budget as currently approved.</p>
<p style="text-align: center;">Commissioner Mingus Mapps Bureau of Environmental Services</p>	

<p>365 Authorize Bureau of Environmental Services to acquire certain permanent and temporary property rights necessary for construction of the South Portland – Burlingame Phase 2 Sewer Rehab project through the exercise of the City’s Eminent Domain Authority Project No. E11080 (Ordinance) 10 minutes requested</p>	<p>While BES’s level of confidence in the cost estimates for the project is high, the costs of acquiring the needed properties will be determined by an independent appraisal during the Eminent Domain process. Funds will be available in BES’s FY 2021-22 budget in the Sewer System Operating Fund.</p>
<p>Commissioner Carmen Rubio</p> <p>Parks & Recreation</p>	
<p>366 Amend fee schedule for tree permits (Ordinance)</p>	<p>See below.</p>
<p><u>WEDNESDAY, 2:00 PM, MAY 19, 2021</u></p>	
<p>367 TIME CERTAIN: 2:00 PM – Revise residential solid waste and recycling collection rates and charges, effective July 1, 2021 (Ordinance introduced by Commissioner Rubio; amend Code Chapter 17.102) 90 minutes requested for Items 367-369</p>	<p>See below.</p>
<p>368 Authorize the rates and charges for water and water-related services beginning July 1, 2021 to June 30, 2022 and fix an effective date (Ordinance introduced by Commissioner Mapps)</p>	<p>See below.</p>
<p>369 Revise sewer and stormwater rates, charges and fees in accordance with the FY 2021-22 Sewer User Rate Study (Ordinance introduced by Commissioner Mapps)</p>	<p>See below.</p>

<p>370 TIME CERTAIN: 3:30 PM – City Council to convene as Prosper Portland Budget Committee to approve the FY 2021-22 Budget (Mayor convenes Council as Prosper Portland Budget Committee) 30 minutes requested</p>	<p>Prosper Portland’s FY 2021-22 budget is currently \$409.9 million, including General Fund resources of \$7.5 million. Approval of the Prosper Portland budget on May 19th will need to be amended by any changes to the Mayor’s Proposed General Fund and Cannabis Tax allocations made by Council during approval of the City of Portland’s Budget on May 13, 2020.</p>
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360 Amend permit fee schedules for building, electrical, land use services, mechanical, enforcement, plumbing, signs, site development, and land use services fee schedule for the Hearings Office (Ordinance introduced by Commissioner Ryan) 20 minutes requested

CBO Analysis:

The Bureau of Development Services (BDS) is funded primarily through fees and charges for services and collects fees under various fee schedules. This ordinance amends the permit fee schedules for building, electrical, land use services, mechanical enforcement, plumbing, signs, site development and the land use services fee schedule.

BDS is proposing a 5% fee increase across most programs to maintain reserve levels and to keep up with inflation. Estimated collection increases are aggregated, however, some individual fees are greater where the cost of providing services is significantly greater than 5%. According to the bureau, between FY 2013-14 through FY 2018-19, BDS did not implement fee increases for most programs and decreased fees in FY 2016-17. Increases are expected to result in the following estimated changes to annual program collections:

Building/Mechanical Program 5%	\$ 850,755
Electrical Program 5%	\$ 160,676
Facility Permit Program 5%	\$ 104,032
Field Issuance Remodel Program 5%	\$ 104,734
Land Use Services Program 5%	\$ 494,189
Neighborhood Inspections Program 5%	\$ 103,290
Plumbing Program 5%	\$ 136,906
Sign Program 5%	\$ 12,547

Site Development Program 5%	\$ 94,760
Total 5%	\$ 2,086,235

The bureau's FY 2021-22 Requested Budget and the Mayor's Proposed assume revenue from the fee increases proposed in this ordinance. According to the bureau, the fee changes are independent of the ARP funding that is included in the Mayor's FY 2021-22 Proposed Budget to support continuity of operations in the bureau in light of COVID-19. If the fee changes are not approved by Council, additional ARP and/or General Fund support would be needed to avoid service/staffing reductions at BDS in the short term. Finally, this legislation does not create, eliminate, or re-classify positions. Existing BDS staff will implement and administer the revised fee schedule as part of the existing workload. The legislation does not result in a new or modified financial obligation or benefit, including IAs, IGAs, MOUs, grants, contracts or contract amendments.

366 Amend fee schedule for tree permits (Ordinance)

This ordinance adjusts the fee schedule used to generate revenue for administering the Urban Forestry program—including enforcement of Title 11 (with the exception of fee-in-lieu of payments which are remitted to the Tree Planting and Preservation Subfund and the Urban Forestry Subfund within the Parks Memorial Fund).

The collected fees represent a portion of the PP&R General Fund external revenue budget. This proposed fee schedule update would increase fees by 5% and would bring the fee schedule into approximately 89% cost recovery (from approximately 85% currently) for the development program and 20% for the non-development program (which is held at that rate to remove barriers to compliance). Program-wide, the program sits at approximately 49% cost-recovering but expects to drop to 47% in FY 2021-22 due to an ongoing drop in development permits attributable to macroeconomic factors.

367 Revise residential solid waste and recycling collection rates and charges, effective July 1, 2021

This ordinance adopts the recommended FY 2021-22 rates for residential solid waste, recycling and food scraps/yard debris collection. The recommended rates resulted from an annual rate review required by the franchise with residential haulers. Costs incurred by the haulers during 2020 have been independently reviewed and adjustments made to reflect an increase in the garbage tipping fee; higher costs for greater amounts of garbage, recycling, and food scraps/yard debris collected from households; and anticipated increases in fuel prices and wages.

Monthly rates for residential garbage and recycling collection service will increase by \$1.40-\$1.70 for most customers. The monthly rate for the most common service level – the 35-gallon garbage roll cart collected every two weeks – will increase by \$1.40.

This ordinance continues the 5% franchise fee that funds solid waste and recycling program administration costs. Because rate revenue will increase, City revenues from the 5% franchise fees are anticipated to increase by \$141,600 this fiscal year, or 4.3 percent.

- 368** Authorize the rates and charges for water and water-related services beginning July 1, 2021 to June 30, 2022 and fix an effective date (Ordinance introduced by Commissioner Mapps)

CBO Analysis

This annual ordinance establishes rates, charges and fees to generate sufficient revenue for projected operating expenditures in FY 2021-22. Retail rates are expected to generate approximately \$192.7 million in water sales revenue in FY 2020-21. Retail customers are also expected to pay \$2.8 million in customer late charges. FY 2021-22 wholesale revenues will be \$19.0 million. Other rates and charges within this Ordinance are expected to generate \$12.4 million for water-related services including system development charges, new service installations, customer requested new main connections, engineering permit fees, hydrant installation and usage, and miscellaneous utility charges. The proposed overall average effective retail rate increase is 7.8 percent in FY 2021-22. With a retail rate increase of 6.5 percent, the retail commodity rate will increase from \$5.593 to \$6.029, and the base charge will increase from \$50.75 to \$54.71 per quarterly bill (the billed base charge varies depending on the number of days in the billing period). The "typical" residential water customer using 5 hundred cubic feet (ccf) per month will now pay \$48.39, up 7.8 percent from the FY 2020-21 "typical" bill of \$44.89. The "medium" commercial customer using 100 ccf per month will see a water bill increase from \$610.05 to \$657.61; an increase of \$47.56 or 7.8 percent. Two tiers of fixed low-income discount for qualified single family quarterly billed residential water customers are included in the Ordinance. The discount is 50% for a typical low-income customer bill and is \$72.55 The discount is 80% for a typical extremely low income customer bill and is \$116.10 for FY 2021-22.

- 369** Revise sewer and stormwater rates, charges and fees in accordance with the FY 2021-22 Sewer User Rate Study

CBO Analysis

This annual ordinance establishes rates, charges and fees to generate sufficient revenue for projected expenditures in FY 2021-22. Under these proposed rates, the typical single-family residential bill is expected to increase by \$2.45 per month or 3.15%. Increases to each individual customer and other customer classes may vary based on actual usage and circumstances. This rate ordinance will generate \$400 million in operating revenue to support the Mayor's FY 2021-22 Proposed budget for the Bureau of Environmental Services. \$352 million of this estimate is from billed retail revenues for sanitary and stormwater services. The proposed rate ordinance will enable the Bureau to continue collecting and treating wastewater from residences and businesses; managing stormwater to prevent erosion, flooding and water quality problems; operating the combined sewer overflow (CSO) system to prevent sewage overflows into the Willamette River and Columbia Slough; and repairing and replacing inadequate public sewer lines that cause sewage overflows and basement backups. The rate ordinance does not create costs or expenses to the City. This legislation does not specifically create or eliminate positions in future years. Future position decisions will be made by the Council within the annual budget process.