

**PORTLAND CITY COUNCIL AGENDA
City Hall - 1221 SW Fourth Avenue**

TUESDAY, 9:00 AM, DECEMBER 13, 2016

SPECIAL COUNCIL MEETING

THOSE PRESENT WERE: Commissioner Saltzman, Presiding; Commissioners Fish and Novick, 3.

1381 TIME CERTAIN: 9:00 AM – Provide affordable housing through an Inclusionary Housing program (Previous Agenda 1379; Ordinance introduced by Mayor Hales; amend Title 33, Planning and Zoning) 3 hours requested for items 1381-1382

Continued to December 14, 2016 at 11:00 am Time Certain.

Motion numbers indicate order the amendments were made for 1381 & 1382.

2) Motion to amend Title 33 to make technical fixes: Moved by Saltzman and seconded by Fish. (Y-5)

3) Motion to amend Title 33 to add the initial phased in inclusion rate: Moved by Saltzman and seconded by Fish. (Y-5)

5) Motion to adopt historic transfer amendment: Moved by Novick and seconded by Fish. (Y-5)

7) Motion to adopt family size amendment for Title 33: Moved by Novick and seconded by Fish. (Y-5)

8) Motion to adopt parking linking amendment: Moved by Novick and seconded by Fish. (Y-4; N-1 Novick)

**PASSED TO
SECOND READING
AS AMENDED
DECEMBER 21, 2016
AT 9:30 AM**

S-1382 Provide affordable housing through an Inclusionary Housing program and update the Multiple-Unit Limited Tax Exemption Program (Previous Agenda 1380; Ordinance introduced by Commissioner Saltzman; add Code Section 30.01.120, amend Section 30.01.030 and Chapter 3.103)

Continued to December 14, 2016 at 11:00 am Time Certain.

1) Motion to accept substitute ordinance containing a number of technical fixes to Title 30 and Title 3: Moved by Saltzman and seconded by Fish (Y-5)

4) Motion to adopt family size amendment for Title 30: Moved by Fish and seconded by Saltzman. (Y-5)

6) Motion to adopt FAR 5.0 amendment: Moved by Novick and seconded by Fish. (N-5) Motion failed.

**SUBSTITUTE
PASSED TO
SECOND READING
AS AMENDED
DECEMBER 21, 2016
AT 9:30 AM**

WEDNESDAY, 9:30 AM, DECEMBER 14, 2016

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz, Novick and Saltzman, 5.

COMMUNICATIONS

<p>1382-A Request of Mike O'Callaghan to address Council regarding theft (Communication)</p>	<p>PLACED ON FILE</p>
<p>1382-B Request of Matt Smith to address Council regarding declare support for Portland's Muslim community and censure Donald Trump (Communication)</p>	<p>PLACED ON FILE</p>
<p>TIMES CERTAIN</p>	
<p>1383 TIME CERTAIN: 9:45 AM – Adopt the 2017 Portland Electric Vehicle Strategy to accelerate the transition to electric vehicles and increase deployment of public charging infrastructure (Resolution introduced by Mayor Hales) 30 minutes requested Motion to add paragraph designating resolution as binding city policy: Moved by Fritz and seconded by Hales. (Y-5) (Y-5)</p>	<p style="text-align: center;">37255 AS AMENDED</p>
<p>1384 TIME CERTAIN: 10:15 AM – Accept the 2016 Annual Fire Prevention Report (Report introduced by Commissioner Saltzman) 30 minutes requested Motion to accept report: Moved by Saltzman and seconded by Novick. (Y-5)</p>	<p style="text-align: center;">ACCEPTED</p>
<p>1385 TIME CERTAIN: 10:45 AM – Restrict bulk fossil fuel terminals (Previous Agenda 1378; Ordinance introduced by Mayor Hales; amend Title 33, Planning and Zoning) 10 minutes requested (Y-5)</p>	<p style="text-align: center;">188142 AS AMENDED</p>
<p>CONSENT AGENDA – NO DISCUSSION</p>	
<p>1386 Appoint Thuy Tu and Daniel Newberry to the Urban Forestry Commission (Report introduced by Mayor Hales and Commissioner Fritz) (Y-5)</p>	<p style="text-align: center;">CONFIRMED</p>
<p>Mayor Charlie Hales</p>	
<p>1387 Extend the terms of Jeff Bachrach, Michelle Rudd, Katherine Schultz, Chris Smith, Mike Houck, Gary Oxman and Maggie Tallmadge of the Planning and Sustainability Commission to expire April 1, 2017 (Report) (Y-5)</p>	<p style="text-align: center;">CONFIRMED</p>
<p>Office of Management and Finance</p>	
<p>*1388 Ratify a Letter of Agreement between the City and Laborers' Local 483 regarding shift premium pay for certain Portland Bureau of Transportation employees (Ordinance) (Y-5)</p>	<p style="text-align: center;">188134</p>
<p>Commissioner Steve Novick</p>	

Bureau of Transportation		
<p>*1389 Accept a grant from the Portland Development Commission in an amount of \$1,453,956 for construction of Foster Transportation and Streetscape Project, SE 82nd Ave to 90th Ave (Ordinance) (Y-5)</p>		188135
<p>*1390 Authorize a contract with the lowest responsible bidder for the Foster Streetscape Project, Phase I (Ordinance) (Y-5)</p>		188136
<p>*1391 Amend contract with CH2M Engineers, Inc. for final payment for work completed for the Smart City Challenge grant project in the amount of \$5,000 (Ordinance; amend Contract No. 31000660) (Y-5)</p>		188137
Commissioner Amanda Fritz		
Portland Parks & Recreation		
<p>1392 Authorize a competitive solicitation and contract with the lowest responsive and responsible bidder for construction of the Argay Park Tennis Court Improvements Project for an estimated \$500,000 (Second Reading Agenda 1352) (Y-5)</p>		188138
<p>1393 Authorize a competitive solicitation and contract with the lowest responsive and responsible bidder for construction of the Forest Park Trail Bridges Replacement Project for an estimated \$640,000 (Second Reading Agenda 1353) (Y-5)</p>		188139
<p>1394 Authorize a competitive solicitation and contract with the lowest responsive and responsible bidder for construction of the Rieke Field Replacement Project for an estimated \$968,808 (Second Reading Agenda 1354) (Y-5)</p>		188140
<p>1395 Authorize a competitive solicitation and contract with the lowest responsive and responsible bidder for construction of the Whitaker Ponds Entry Improvements Project for an estimated \$606,000 (Second Reading Agenda 1355) (Y-5)</p>		188141
REGULAR AGENDA		
Mayor Charlie Hales		
Bureau of Planning & Sustainability		
<p>1396 Require disclosure of energy performance ratings for residential single family buildings when listed for sale to promote transparency in housing costs and reduction in local carbon emissions (Second Reading Agenda 1358; add Code Chapter 17.108) (Y-5)</p>		188143 AS AMENDED

Bureau of Police		
*1397	Apply for and accept a grant in the amount of \$15,000 and appropriate \$10,000 for FY 2016-17 from the Oregon Department of Transportation Traffic Safety Division FY 2017 Speed Enforcement Grant program for sworn personnel overtime reimbursement (Ordinance) (Y-4; Hales absent)	188144
*1398	Authorize an Intergovernmental Agreement with Washington County for sharing tactical team resources in mutual aid (Previous Agenda 1359) 10 minutes requested (Y-4; Hales absent)	188145
City Budget Office		
*1399	Authorize contract with the World Council on City Data for joining a global network of cities that are improving city services and quality of life with open data (Ordinance) 15 minutes requested (Y-4; Hales absent)	188146
Office of Management and Finance		
1400	Accept bid of Streimer Sheet Metal Works, Inc. for the Mt Scott Community Center Heating, Ventilation and Air Condition Replacement and Direct Digital Control Upgrade Project for \$828,585 (Procurement Report – Bid No. 00000428) Motion to accept report: Moved by Fish and seconded by Fritz. (Y-4; Hales absent)	ACCEPTED PREPARE CONTRACT
*1401	Authorize an amendment of the FY 2016-17 appropriation schedule in the amount of \$19,255,033 for the Portland Building Reconstruction project (Ordinance) (Y-4; Hales absent)	188147
1402	Approve findings to authorize an exemption to the competitive bidding requirements and authorize the use of the alternative contracting method of Construction Manager/General Contractor all in connection with the Tryon Creek Wastewater Treatment Plant Headworks Project for an estimated amount of \$54,000,000 (Ordinance) 10 minutes requested	RESCHEDULED TO DECEMBER 21, 2017 AT 9:30 AM
1403	Clarify definitions, administrative authority and make housekeeping changes to the Transient Lodgings Tax Code (Ordinance; amend Code Chapter 6.04) 30 minutes requested for items 1403-1404	PASSED TO SECOND READING DECEMBER 21, 2016 AT 9:30 AM
1404	Amend Tourism Improvement District code to update definitions and change the due dates and delinquency dates to match those in the Transient Lodging Tax code (Ordinance; amend Code Chapter 6.05)	PASSED TO SECOND READING DECEMBER 21, 2016 AT 9:30 AM

<p>*1405 Authorize a lease extension with Oregon Pacific Investment & Development Company for the Bureau of Fire and Police Disability and Retirement office space at 1800 SW First Ave, Suite 450, commonly known as the Harrison Square Building through October 31, 2020 for approximately \$205,000 annually (Previous Agenda 1365)</p> <p>(Y-4; Saltzman absent)</p>	<p>188149</p>
<p>*1406 Authorize financing not expected to exceed \$51 million for an affordable housing project known as the Ellington Apartments (Previous Agenda 1364) 15 minutes requested for items 1406 and 1413</p> <p>(Y-5)</p>	<p>188150</p>
<p>Commissioner Steve Novick Bureau of Transportation</p>	
<p>1407 Authorize the Portland Bureau of Transportation to develop a Transportation System Development Charge methodology based upon the "Person Trip" model to more accurately reflect Portland's Transportation System (Resolution) 15 minutes requested</p> <p>(Y-5)</p>	<p>37256</p>
<p>1408 Accept findings of the South Portal Partnership Plan Project pertaining to proposed changes to roadway alignments of SW Bond Ave, SW Moody Ave, SW Hamilton St, SW Hamilton Ct, SW Lowell St, and SW Thomas St, and direct implementation of a plan to fund, design and construct remaining South Waterfront street connections (Previous Agenda 1369) 10 minutes requested</p> <p>Motion to adopt amendments in staff memo dated December 14, 2016: Moved by Novick and seconded by Fritz. (Y-5)</p> <p>(Y-5)</p>	<p>37257 AS AMENDED</p>
<p>Commissioner Amanda Fritz</p>	
<p>S-1409 Adopt the Open and Accountable Elections Policy (Second Reading S-1370; add Code Chapter 2.16)</p> <p>(Y-3 Hales, Fritz, Novick. N-2 Fish, Saltzman)</p>	<p>SUBSTITUTE 188152</p>
<p>Portland Parks & Recreation</p>	
<p>1410 Create a local improvement district to construct park improvements in the Portland Open Space Sequence Local Improvement District in partnership with the Halprin Landscape Conservancy (Previous Agenda 1371; Hearing; Ordinance; C-10054) 10 minutes requested</p> <p>Motion to adopt amendments in staff memo dated December 13, 2016 as updated December 14: Moved by Hales and seconded by Fish. (Y-4; Saltzman absent)</p> <p>Motion to add remaining property at 1700 SW Fourth Avenue: Moved by Hales and seconded by Fish. (Y-4; Saltzman absent)</p>	<p>PASSED TO SECOND READING AS AMENDED DECEMBER 21, 2016 AT 9:30 AM</p>
<p>Commissioner Nick Fish Bureau of Environmental Services</p>	

<p>*1411 Authorize an application to Oregon Office of Emergency Management for a Hazard Mitigation Grant Program grant in the amount of up to \$2,500,000 for Johnson Creek floodplain acquisition (Ordinance) (Y-4; Saltzman absent)</p>	<p>188153</p>
<p style="text-align: center;">Water Bureau</p> <p>1412 Authorize a contract with the lowest responsible bidder for the construction of the Greenleaf Pump Station Project at an estimated cost of \$1,275,000 (Second Reading Agenda 1374) (Y-5)</p>	<p>188148</p>
<p style="text-align: center;">Commissioner Dan Saltzman Portland Housing Bureau</p> <p>*1413 Authorize the purchase of certain real property located at 1610 NE 66th Ave at a price not to exceed \$47,000,000 for affordable rental housing (Previous Agenda 1376) (Y-5)</p>	<p>188151</p>
<p style="text-align: center;"><u>WEDNESDAY, 2:00 PM, DECEMBER 14, 2016</u></p> <p>THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz and Novick, 4.</p>	
<p>S-1414 TIME CERTAIN: 2:00 PM - Amend the Official City Zoning Map, Planning and Zoning Code and Transportation System Plan to carry out Portland's 2035 Comprehensive Plan; establish a new Community Involvement Program and Committee; amend related codes, the 2035 Comprehensive Plan and Plan Map to coordinate policies and programs (Previous Agenda 1293; Ordinance introduced by Mayor Hales; amend Code Titles 3, 17, 33 and Ordinance Nos. 165851, 177028, 187832) 1 hour requested for items 1414-1415</p> <p>Motion to accept the substitute ordinance: Moved by Hales and seconded by Fritz. (Y-4; Saltzman absent)</p> <p>Motion to accept corrected wording in exhibit H, Community Involvement Committee appointment process to have Council confirm the appointments: Moved by Fritz and seconded by Hales. (Y-4; Saltzman absent.)</p> <p>Note: On December 14th, Council held the first reading of the substitute ordinance and findings for adoption of various measures to implement the new 2035 Comprehensive Plan (as amended). The Council has already received testimony regarding the PSC-recommendation, and Council amendments. Public testimony was limited to the content of the revised ordinance. The evidentiary record is closed and no new evidence may be submitted. The final vote is expected on December 21st.</p>	<p style="text-align: center;">SUBSTITUTE PASSED TO SECOND READING AS AMENDED DECEMBER 21, 2016 AT 2:00 PM TIME CERTAIN</p>

<p>1415 Adopt a Connectivity Strategy for Comprehensive Plan Centers in Eastern Neighborhoods (Ordinance introduced by Commissioner Novick)</p> <p>Motion to add directive d to require Bureau of Transportation to report back with recommended revised spacing standards for each center: Moved by Fritz and seconded by Fish. (Y-4; Saltzman absent)</p>	<p>PASSED TO SECOND READING AS AMENDED DECEMBER 21, 2016 AT 2:00 PM TIME CERTAIN</p>
<p>1416 TIME CERTAIN: 3:00 PM – Amend City’s marijuana business regulations (Ordinance introduced by Commissioner Fritz; amend Code Chapter 14B.130, Portland Policy Document ADM-20.01) 3 hours requested</p> <p>Motion to accept Saltzman amendments to Exhibit A: Moved by Fritz and seconded by Fish. (Y-4; Saltzman absent)</p> <p>Motion to amend Minimum Standards 14B.130.040 for retail courier: Moved by Fritz and seconded by Hales. (Y-4; Saltzman absent)</p>	<p>PASSED TO SECOND READING AS AMENDED DECEMBER 21, 2016 9:30 AM</p>
<p><u>THURSDAY, 2:00 PM, DECEMBER 15, 2016</u></p> <p>THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fritz, Novick and Saltzman, 4.</p>	
<p>1417 TIME CERTAIN: 2:00 PM – Modify Area Parking Permit Program to create new permit area type for residential areas, expand provisions of the Supplemental Plan Description, and integrate transportation demand management principles, in accordance with the recommendations of the Centers and Corridors Parking Project (Ordinance introduced by Commissioner Novick; amend Code Sections 16.20.800 – 16.20.850) 1 hour requested</p>	<p>CONTINUED TO DECEMBER 21, 2016 AT 9:30 AM</p>
<p>1418 TIME CERTAIN: 3:30 PM – Extend to December 31, 2017 the Council-approved Corporate Securities Do-Not-Buy List (Resolution introduced by Commissioner Novick) 2 hours requested</p>	<p>RESCHEDULED TO DECEMBER 21, 2016 AT 2:30 PM TIME CERTAIN</p>

NOTE: “Time Certain” indicates that an item will not be heard by Council **prior** to the time specified.

Communications items are three minutes each. Regular Agenda items taking longer than five minutes have the time estimate noted next to the item.

The * indicates an emergency ordinance, which takes effect immediately if passed. Non-emergency ordinances require two readings and a 30-day waiting period before taking effect. Resolutions, reports, etc., adopted by Council are effective after adjournment.

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Mary Hull Caballero
Auditor of the City of Portland

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Testimony is taken on Reports, Resolutions and Ordinances (first reading). To testify, sign up on a testimony sheet as you enter Council Chambers on the day of the meeting. Individuals have 3 minutes to testify, unless otherwise stated at the meeting. Testimony is not taken on Communications, Second Readings, Proclamations or Presentations in accordance with Code 3.02.040 F. and G.

Written testimony may be emailed or mailed to the Council Clerk prior to the meeting.

To schedule a Communication, email or mail your request to the Council Clerk. Include your name, address, phone number and a brief description of the subject you will be addressing. For full details, see Testimony Policies and procedures. <http://www.portlandonline.com/auditor/index.cfm?&a=63123&c=34447>

Clerk Email: karla.moore-love@portlandoregon.gov
Council Clerk Testimony: cctestimony@portlandoregon.gov
US Mail: Council Clerk, 1221 SW Fourth Ave., Room 130, Portland OR 97204

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Declaration Required by Lobbyists. Portland City Code 2.12.060 states: Prior to offering public testimony before City officials, at the beginning of any meetings or phone calls with City officials, or in emails and letters to City officials, a lobbyist must declare which lobbying entity he or she is authorized to represent for that communication.

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OFFICERS OF PORTLAND CITY GOVERNMENT

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Bureau Portfolio
Portland Police Bureau Portland Development Commission Bureau of Planning and Sustainability Fire & Police Disability and Retirement Office of Equity and Human Rights Office of Management and Finance Office of Government Relations City Attorney City Budget Office Oversight of the Willamette River Super Fund clean-up project

NICK FISH

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Bureau Portfolio	Liaison Responsibilities
Bureau of Environmental Services Bureau of Hydroelectric Power Water Bureau	<i>Elders in Action Portland Utility Review Board Venture Portland Portland's Centers For The Arts Regional Arts and Culture Council</i>

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Bureau Portfolio	Liaison Responsibilities
Bureau of Parks & Recreation Office of Neighborhood Involvement	<i>Royal Rosarians Multnomah County Animal Control Portland Parks Board Urban Forestry Commission Golf Advisory Committee Portland International Raceway Advisory Committee Protected Sick Time ordinance implementation [continued next page]</i>

	<p><i>Council Lead on the City Coordinating Committee addressing the Department of Justice Settlement</i></p> <p><i>Visitors Development Fund Board (with Saltzman)</i></p>
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Bureau Portfolio	Liaison Responsibilities
Bureau of Transportation Bureau of Emergency Management Bureau of Emergency Communications	<i>Joint Policy Advisory Committee on Transportation (JPACT)</i> <i>Portland Streetcar Inc.</i> <i>Regional Emergency Management Group</i> <i>BOEC Users Group</i> <i>BOEC Finance Committee</i> <i>Taxi Cab Board of Review</i> <i>Towing Board of Review</i>

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Bureau Portfolio	Liaison Responsibilities
Bureau of Development Services Portland Fire & Rescue Portland Housing Bureau Gateway Domestic Violence Center Portland Children's Levy (formerly Portland Children's Investment Fund)	<i>Travel Portland</i> <i>Visitors Development Fund (with Fritz)</i> <i>Home Forward</i> <i>League of Oregon Cities</i> <i>Adjustment Committee</i> <i>Building Board of Appeals</i> <i>Design Commission</i> <i>Historic Landmarks Commission</i>

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IPR - Independent Police Review

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Portland Multnomah Progress Board

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Office of Neighborhood Involvement	Amalia Alarcón de Morris
Portland Development Commission	Kimberly Branam
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Portland Housing Bureau	Kurt Creager
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Water Bureau	Michael Stuhr

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