

## ORDINANCE NO. 189373 As Amended

\*Authorize agreement with Central Eastside Industrial Council for program management in the Central Eastside Industrial District. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Pursuant to Chapter 6.06 of the City Code and the amendments proposed in the establishing Ordinance, the City has established a property management license fee within the Central Eastside Industrial District, also called "CEID" or the "District." The purpose of the license fee is to provide revenues to fund sidewalk operations and safety, streetscape improvement, parking and transportation, and community workforce innovation fund.
2. CEIC is a non-profit organization representing a large number of property owners and managers in the District. CEIC initiated the establishment of the license fee. CEIC also represents the property managers who will be responsible for paying most of the license fee revenues, and it is uniquely qualified to manage the provision of District services. CEIC is a "qualified contractor" as that term is defined in PCC 6.06.020.N.
3. The services provided by the District, throughout the term of the agreement, are part of a unique and coordinated personal services program that CEIC has developed and provided, and there is no other potential provider of the services with the experience, expertise, and capability of CEIC. It is therefore appropriate for the City to enter into an agreement with CEIC for such services, and CEIC is willing to contract to provide the services.
4. The City will experience substantial cost savings if the contract is awarded to CEIC. First, because CEIC is a nonprofit organization, the City is very likely receiving a lower price for its services than from a comparable vendor in the private sector. Second, because CEIC is comprised of the District's fee payers, it is dedicated to serving the District and thus has a heightened motivation to provide quality service at an affordable price.
5. The CEIC Board has agreed to provide management services to the District and has approved the Management Services agreement attached as Exhibit A from July 1, 2019 through June 30, 2022.
6. To the extent that any of the services provided by CEIC would be considered professional, technical or expert services, this contract should be exempt from the City's standard contracting requirements.

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7. In accordance with City Code 5.33.120.C, a Sole Source Procurement Notice was published on January 25, 2019 and remained posted for a minimum of seven (7) business days. No comments or protests were received. Disbursements to CEIC are always equal to the net of license fees revenue collected within the District less the Revenue Division's administrative fee and City overhead costs.

NOW, THEREFORE, the Council directs:

- a. The Revenue Division Director is authorized and directed to execute a management services agreement with Central Eastside Industrial Council to manage and provide certain services to the Central Eastside Industrial District, in substantially the form attached to this Ordinance as Exhibit A.
- b. To the extent that any of the services to be provided by CEIC would otherwise have to be bid pursuant to ORS Chapter 279, the City Council, acting in its capacity as the Local Contract Review Board, hereby declares this contract to be exempt.

Section 2. The Council declares that an emergency exists because of the short timeline to set up the program and give proper notification to property managers of their responsibility. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, FEB 06 2019

Mayor Ted Wheeler  
Prepared by: Tyler Wallace  
Date prepared: December 28, 2018

**Mary Hull Caballero**  
Auditor of the City of Portland

By

Deputy

Agenda No. 98

Item Type: Ordinance No. 189373 As Amended

Council Meeting Date: February 6, 2019

✓ Title: \* Authorize agreement with Central Eastside Industrial Council (CEIC) for program management in the Central Eastside Industrial District. (Ordinance)

#### AGENDA TYPE

☐ CONSENT

☐ REGULAR

☒ TIME CERTAIN

Start Time: 10:05 ~~25~~ Item 1 of 2

Total amount of time needed for presentation, testimony and discussion (Regular and Time Certain): 1.5 Hours

INTRODUCED BY: Mayor Wheeler

#### COMMISSIONER / AUDITOR APPROVAL

Mayor - Finance & Administration - Wheeler MP

Position 1/ Utilities - Fritz \_\_\_\_\_

Position 2/ Works - Fish \_\_\_\_\_

Position 3/ Affairs - Hardesty ~~Saltzman~~ \_\_\_\_\_

Position 4/ Safety - Eudaly \_\_\_\_\_

City Auditor - Hull Caballero \_\_\_\_\_

#### BUREAU APPROVALS

Bureau: OMF/BRFS

OMF/CAO: \_\_\_\_\_

Bureau Approval: Jennifer Cooperman

Digitally signed by Jennifer Cooperman  
Date: 2019.01.29 11:55:49 -08'00'

Prepared By: Tyler Wallace

Date Prepared: January 29, 2019

1) Is a completed Impact Statement attached? Yes ☒

2) Does the item amend the budget? Yes ☐ No ☒  
If yes, Budget Office Approval

3) Is the item a Code ordinance? Yes ☐ No ☒  
If yes, Auditor Office Approval

4) Is this item a contract, code, easement, franchise, comp plan or Charter? Yes ☒ No ☐  
If yes, Attorney Office Approval KAM

5a) Is item a Portland Policy Document or Administrative Rule? Yes ☐ No ☒

5b) If yes, is the City Policy/Admin Rule directive in the ordinance or resolution? Yes ☐

#### ACTION TAKEN:

CLERK USE: DATE FILED JAN 29 2019

Mary Hull Caballero  
Auditor of the City of Portland

By: \_\_\_\_\_

Deputy

#### FOUR-FIFTHS AGENDA

1. Fritz

2. Fish

3. Hardesty ~~Saltzman~~

4. Eudaly

Wheeler

#### COMMISSIONERS VOTED AS FOLLOWS:

YEAS NAYS

1. Fritz

☒

2. Fish

☒

3. Hardesty ~~Saltzman~~

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4. Eudaly

☒

Wheeler

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