

ORDINANCE NO. 189987

*Authorize a one-time COVID-19 Small Business Utility Relief Program up to \$1 million and an Intergovernmental Agreement with Prosper Portland for an amount up to \$100,000 to administer the program (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. On March 8, 2020, Governor Kate Brown issued Executive Order 20-08 declaring an emergency under ORS 401.165 due to the public health threat posed by the novel infectious coronavirus (COVID-19).
2. On March 23, 2020, Governor Kate Brown issued Executive Order 20-12 to stay home except for essential needs. The order included closing specific businesses and requiring social distancing measures.
3. Small businesses are at the heart of Portland's economy, and among the hardest hit, and most impacted by the COVID-19 crisis.
4. The Water Bureau is committed to serving all customers with clean, safe and reliable water. The Bureau of Environmental Services provides sewage and stormwater collection and treatment services to accommodate Portland's current and future needs. The Water Bureau bills for sewer, stormwater, and water services, and provides customer assistance for both utility bureaus.
5. The Water Bureau and the Bureau of Environmental Services recognize the importance of providing assistance to help small businesses with their City of Portland sewer, stormwater, and water bills during the COVID-19 crisis.
6. This legislation will enable the Water Bureau and the Bureau of Environmental Services to establish a one-time utility relief program of up to \$1,000,000 to support COVID-19 impacted qualifying small businesses.
7. The Water Bureau and the Bureau of Environmental Services are proposing to partner through an Intergovernmental Agreement with Prosper Portland, the City's economic development agency, to develop a program for providing utility relief to impacted small businesses.
8. As the economic development agency for the City of Portland, Prosper Portland is experienced in working with small businesses regarding their physical and operation needs and managing programs to provide relief funding for small businesses in response to COVID-19 impacts via efforts like the Small Business Relief Fund.

9. Prosper Portland will provide administrative oversight for a new program for the Water Bureau and Bureau of Environmental Services, which will include developing program criteria, managing the application and selection processes, to provide discounts on utility bills to small businesses. This new program will be called the Small Business Utility Relief Program.
10. Acknowledging that Black, Indigenous, People of Color and women as individuals and business owners are amongst the most impacted by COVID-19 and based on the Bureaus' Racial Equity Plans, the Small Business Utility Relief Program prioritizes assistance on utility bills for businesses owned by Black, Indigenous, People of Color (BIPOC), and women.
11. Through the new Small Business Utility Relief Program qualifying and selected small businesses will receive credits to their sewer, stormwater, and water bill.
12. Prosper Portland will incur staff costs in the administration of the Small Business Utility Relief Program, and will be authorized to charge an amount not to exceed \$100,000 for this work through an Intergovernmental Agreement.
13. Funding is available in Water Bureau and the Bureau of Environmental Services Fiscal Year 2019-20 Budgets and, if required, will be requested in future fiscal year budgets in order to support the COVID-19 Small Business Utility Relief Program.
14. In authorizing the establishment of the one-time Small Business Utility Relief Program and the Intergovernmental Agreement with Prosper Portland, Council is exercising its discretion to expend ratepayer resources in a manner that it finds is reasonably related to the provision of water and sewer services.

NOW, THEREFORE, the Council directs:

- a. The City to provide additional assistance to help City of Portland sewer, stormwater, and water small business customers with their utility bills during the COVID-19 crisis.
- b. The Water Bureau and the Bureau of Environmental Services to provide one-time utility relief of up to \$1,000,000 to support COVID-19 impacted qualifying small businesses.
- c. The Administrator of the Water Bureau is authorized to execute an agreement with Prosper Portland, in a form substantially similar to the attached Exhibit A, in support of the Small Business Utility Relief Program and when funds are allocated by City Council and included in the Water Bureau and Bureau of Environmental Service approved budgets.
- d. The Intergovernmental Agreement with Prosper Portland will not exceed \$100,000 and will be effective as of May 1, 2020. Funding in support of the Intergovernmental

Agreement will be provided by the Water Bureau in the amount of \$35,000 and by the Bureau of Environmental Service in the amount of \$65,000.

- e. Amendments increasing the total compensation for the Intergovernmental Agreement may be agreed to and executed by the Administrator of the Water Bureau or the Mayor for up to twenty-five percent of the total Intergovernmental Agreement amount.
- f. The Mayor and Auditor are hereby authorized to draw and deliver checks chargeable to the Water Fund when demand is presented and approved by the proper authorities.
- g. The Intergovernmental Agreement and amendments authorized by this ordinance are subject to approval as to form by the City Attorney's Office.

Section 2. The Council declares that an emergency exists because there is a current and immediate threat to the health, life, and safety of small businesses that will be unable to pay utility bills due to the impacts of COVID-19 on the community, that warrants this urgent measure, which finding is based upon the facts stated in the recitals above. Therefore, this ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council, June 3, 2020

Commissioner Amanda Fritz
Prepared by: Sarah Murphy
Santner
May 20, 2020

Mary Hull Caballero

Auditor of the City of Portland

By *Keelan McClymont*
Deputy

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Agenda No.
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<p>INTRODUCED BY Commissioner/Auditor: Commissioner Amanda Fritz</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration - Wheeler</p> <p>Position 1/Utilities - Fritz <i>Amanda Fritz</i></p> <p>Position 2/Works - Vacant</p> <p>Position 3/Affairs - Hardesty</p> <p>Position 4/Safety - Eudaly</p> <p>BUREAU APPROVAL</p> <p>Bureau: <u>Water</u> Bureau Head: <u>Gabriel Solmer</u> <small>Digitally signed by Gabriel Solmer Date: 2020.05.27 08:11:55 -07'00'</small></p> <p>Prepared by: <u>Cecelia Huynh</u> Date Prepared: <u>5/20/20</u></p> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: Karen Moynahan required for contract, code, easement, franchise, comp plan, charter <small>Digitally signed by Karen Moynahan Date: 2020.05.27 08:37:12 -07'00'</small></p> <p>Council Meeting Date <u>6/3/20</u></p>	<p>CLERK USE: DATE FILED <u>05-26-2020</u></p> <p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u>Karla Moore-Love</u> Deputy</p> <p>ACTION TAKEN:</p>
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<p style="text-align: center;">AGENDA</p> <p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> <p>CONSENT <input type="checkbox"/></p> <p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: <u>15</u> (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">FOUR-FIFTHS AGENDA</th> <th colspan="3">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th></th> <th>YEAS</th> <th>NAYS</th> </tr> <tr> <td>1. Fritz</td> <td>1. Fritz</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>2. Vacant</td> <td>2. Vacant</td> <td></td> <td></td> </tr> <tr> <td>3. Hardesty</td> <td>3. Hardesty</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td>4. Eudaly</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>Wheeler</td> <td>Wheeler</td> <td style="text-align: center;">✓</td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:					YEAS	NAYS	1. Fritz	1. Fritz	✓		2. Vacant	2. Vacant			3. Hardesty	3. Hardesty	✓		4. Eudaly	4. Eudaly	✓		Wheeler	Wheeler	✓	
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