



December 7, 2022 Council Agenda

5690

City Hall - 1221 SW Fourth Avenue, Portland, OR 97204

In accordance with Portland City Code and state law, City Council will hold hybrid public meetings, which provides for both virtual and limited in-person attendance. Members of council will elect to attend remotely by video and teleconference, or in-person. The City has made several avenues available for the public to listen to the audio broadcast of this meeting, including the City's YouTube Channel, [eGov PDX](#), the [Open Signal website](#), and Xfinity Channel 30 and 330.

Questions may be directed to councilclerk@portlandoregon.gov

Wednesday, December 7, 2022 9:30 am

Session Status: Recessed

Council in Attendance: Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Mayor Wheeler presided.

Commissioner Rubio left at 12:07 p.m. and returned at 12:27 p.m.

Officers in attendance: Anne Milligan, Deputy City Attorney; Keelan McClymont, Council Clerk

Item 1023 was pulled from the Consent Agenda and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

Council recessed at 11:03 a.m. and reconvened at 11:12 a.m.

Council recessed at 1:31 p.m.

Communications

994

[Request of Alan Comnes to address Council regarding waste of city resources and need for sanctioned camps](#)
(Communication)

Document number: 994-2022

Disposition: Placed on File

995

[Request of Jason Wilder to address Council regarding Portland Police Bureau and Central City Concern](#)

(Communication)

Document number: 995-2022

Disposition: Placed on File

996

[Request of Maximilian Dubeer to address Council regarding blocked pedestrian right-of-way](#) (Communication)

Document number: 996-2022

Disposition: Placed on File

997

[Request of Bert Rogoway to address Council regarding blocked pedestrian right-of-way](#) (Communication)

Document number: 997-2022

Disposition: Placed on File

998

[Request of Edie Van Ness to address Council regarding blocked pedestrian right-of-way](#) (Communication)

Document number: 998-2022

Disposition: Placed on File

Time Certain

999

[Accept Sport Oregon Annual Report for July 1, 2021 to June 30, 2022](#) (Report)

Document number: 999-2022

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance

Time certain: 9:45 am

Time requested: 15 minutes

Disposition: Accepted

Motion to accept the report: Moved by Hardesty and seconded by Ryan.

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1000

[Create a local improvement district to construct street, sidewalk, and stormwater improvements in the SE 89th Ave and Taylor St Local Improvement District \(Hearing; C-10072\)](#) (Ordinance)

Document number: 191117

Introduced by: Commissioner Jo Ann Hardesty

Bureau: Transportation

Time certain: 10:00 am

Time requested: 30 minutes (1 of 2)

Disposition: Passed to second reading as amended

Motion to accept the amended Exhibit G: Moved by Hardesty and seconded by Wheeler. Vote not called. Motion withdrawn.

Motion to amend Ordinance, substitute Exhibit G, and accept Exhibits H & I: Moved by Hardesty and seconded by Wheeler. (Y-5)

Passed to second reading December 14, 2022 at 9:30 a.m. as amended

1001

[Authorize a 5-year deferral of single-family residential assessments in the SE 89th Ave and Taylor St Local Improvement District \(C-10072\)](#) (Ordinance)

Document number: 191118

Introduced by: Commissioner Jo Ann Hardesty

Bureau: Transportation

Time certain: 10:00 am

Time requested: 30 minutes (2 of 2)

Disposition: Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1002

[Add Regulation of Third-Party Food Platforms Code related to permanent limitations on the fees third-party food platforms may charge and the terms they may impose upon restaurants and delivery persons \(add Code Chapter 7.27\)](#) (Ordinance)

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance; Revenue and Financial Services; Revenue Division

Time certain: 10:30 am

Time requested: 30 minutes

Disposition: Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

Consent Agenda

1003

[Reappoint Catherine MacLeod to the Fire and Police Disability and Retirement Board of Trustees for term to expire December 31, 2025](#) (Report)

Document number: 1003-2022

Introduced by: Mayor Ted Wheeler; Commissioner Jo Ann Hardesty

Bureau: Fire and Police Disability and Retirement

Disposition: Confirmed

Votes: Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Yea
Commissioner Dan Ryan Yea
Commissioner Jo Ann Hardesty Yea
Mayor Ted Wheeler Yea

1004

[*Accept grant for \\$3,800,000 from the Oregon Department of Emergency Management FY 2022 Department of Homeland Security Urban Areas Security Initiative to enhance emergency preparedness through planning, training, and equipping of emergency responders in the Portland urban area](#) (Emergency Ordinance)

Document number: 191082

Introduced by: Mayor Ted Wheeler

Bureau: Emergency Management

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Yea
Commissioner Dan Ryan Yea
Commissioner Jo Ann Hardesty Yea
Mayor Ted Wheeler Yea

1005

[Adopt the Budget Calendar for FY 2023-24](#) (Resolution)

Document number: 37602

Introduced by: Mayor Ted Wheeler

Bureau: City Budget

Disposition: Adopted

Votes: Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Yea
Commissioner Dan Ryan Yea
Commissioner Jo Ann Hardesty Yea
Mayor Ted Wheeler Yea

1006

[*Pay settlement of Humberto Gomez Jr bodily injury claim for the sum of \\$15,000 resulting from a motor vehicle collision involving the Portland Police Bureau](#) (Emergency Ordinance)

Document number: 191083

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance; Revenue and Financial Services; Risk Management

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1007

[*Pay settlement of Dorothy Humphreys property damage and bodily injury claim for the sum of \\$28,413 resulting from a motor vehicle collision involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

Document number: 191084

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance; Revenue and Financial Services; Risk Management

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1008

[Accept grant in the amount of \\$1,200,000 and appropriate \\$120,350 for FY 2022-23 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance National Sexual Assault Kit Initiative FY 2022 for Sexual Assault Management System enhancements and deployment](#) (Ordinance)

Document number: 191102

Introduced by: Mayor Ted Wheeler

Bureau: Police

Disposition: Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1009

[Declare Trackchair as surplus property and authorize the Portland Police Bureau to proceed with disposal or donation](#) (Ordinance)

Document number: 191085

Introduced by: Mayor Ted Wheeler

Bureau: Police

Second reading agenda item 987.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Yea
Commissioner Dan Ryan Yea
Commissioner Jo Ann Hardesty Yea
Mayor Ted Wheeler Yea

1010

[*Authorize Bureau of Environmental Services to reimburse property owner at 6600 SE 92nd Ave for sewer user fees in the amount of \\$1,475](#) (Emergency Ordinance)

Document number: 191086

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Yea
Commissioner Dan Ryan Yea
Commissioner Jo Ann Hardesty Yea
Mayor Ted Wheeler Yea

1011

[Authorize the Bureau of Environmental Services to acquire certain permanent and temporary property rights necessary for construction of the Columbia Slough Outfall 58 Project through negotiation or the exercise of the City's eminent domain authority](#) (Ordinance)

Document number: 191103

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Disposition: Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1012

[Authorize competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Stark Trunk Rehabilitation Project for an estimated cost of \\$5,266,000](#) (Ordinance)

Document number: 191104

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Disposition: Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1013

[Approve findings to authorize an exemption to the competitive bidding requirements and approve use of the alternative contracting method of Construction Manager/General Contractor for the Dam No. 1 Spillway Gates Replacement Project for an estimated amount of \\$2,650,000](#) (Ordinance)

Document number: 191105

Introduced by: Commissioner Mingus Mapps

Bureau: Water

Disposition: Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1014

[Authorize contract with McMillen, LLC for design services for the Dam 1 Spillway Gates Replacement Project in the amount of \\$1,329,325](#) (Ordinance)

Document number: 191106

Introduced by: Commissioner Mingus Mapps

Bureau: Water

Disposition: Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1015

[Authorize bid solicitation and contract with the lowest responsive and responsible bidder for construction of the North Schmeer Road East of Whitaker Road Project for an estimated cost of \\$1,386,000](#) (Ordinance)

Document number: 191107

Introduced by: Commissioner Mingus Mapps

Bureau: Water

Disposition: Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1016

[Authorize bid solicitation and contract with the lowest responsive and responsible bidder for construction of the Road 10 I and J North Fork BR MP 14.44 Project for an estimated cost of \\$1,820,000](#) (Ordinance)

Document number: 191108

Introduced by: Commissioner Mingus Mapps

Bureau: Water

Disposition: Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1017

[Accept grant for \\$100,000 from Metro and authorize Intergovernmental Agreement for the bulky waste collection activities for single and multifamily properties](#) (Ordinance)

Document number: 191109

Introduced by: Commissioner Carmen Rubio

Bureau: Planning and Sustainability

Disposition: Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1018

[Accept grant for \\$783,176 from Metro and authorize Intergovernmental Agreement for the per-capita distribution and Business Food Waste Requirement](#) (Ordinance)

Document number: 191110

Introduced by: Commissioner Carmen Rubio

Bureau: Planning and Sustainability

Disposition: Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1019

[*Accept donation of .57 acres of real property on SW Arnold St adjacent to Loll Wildwood Natural Area](#) (Emergency Ordinance)

Document number: 191087

Introduced by: Commissioner Carmen Rubio

Bureau: Parks & Recreation

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1020

[*Amend approved application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for SW Park Avenue Apartments located at 2061 SW Park Ave to increase the number of restricted units \(amend Ordinance No. 190642\)](#) (Emergency Ordinance)

Document number: 191088

Introduced by: Commissioner Dan Ryan

Bureau: Housing Bureau

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Yea
Commissioner Dan Ryan Yea
Commissioner Jo Ann Hardesty Yea
Mayor Ted Wheeler Yea

1021

[*Authorize contract with the lowest responsible bidder for the Brentwood Darlington Transportation Project](#) (Emergency Ordinance)

Document number: 191089

Introduced by: Commissioner Jo Ann Hardesty

Bureau: Transportation

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Yea
Commissioner Dan Ryan Yea
Commissioner Jo Ann Hardesty Yea
Mayor Ted Wheeler Yea

1022

[*Authorize contract with the lowest responsible bidder for the Jade Montavilla Transportation Improvements Project](#) (Emergency Ordinance)

Document number: 191090

Introduced by: Commissioner Jo Ann Hardesty

Bureau: Transportation

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Yea
Commissioner Dan Ryan Yea
Commissioner Jo Ann Hardesty Yea
Mayor Ted Wheeler Yea

1023

[*Authorize Request for Proposal for a Parking Enforcement handheld citation system for the Bureau of Transportation](#) (Emergency Ordinance)

Document number: 191099

Introduced by: Commissioner Jo Ann Hardesty

Bureau: Transportation

Disposition: Passed

Agenda item 1023 was pulled from the Consent Agenda for discussion.

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

Regular Agenda

1024

[*Authorize settlement in the matter of 3 Kings Environmental, Inc. claim for the sum of \\$75,000 involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

Document number: 191091

Introduced by: Mayor Ted Wheeler

Bureau: City Attorney

Time requested: 10 minutes

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1025

[Accept and appropriate grant in the amount of \\$63,500 from State of Oregon Transportation Safety Office for the English as a Second Language Driver Program and authorize future Transportation Safety Office grant program agreements](#) (Ordinance)

Document number: 191092

Introduced by: Mayor Ted Wheeler

Bureau: Police

Second reading agenda item 990.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1026

[Authorize competitive solicitation and execution of price agreements for staff augmentation to support the Bureau of Environmental Services Capital Improvement Program for an amount not to exceed \\$28 million over five years](#) (Ordinance)

Document number: 191093

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Second reading agenda item 991.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1027

[Authorize the Portland Water Bureau to acquire certain permanent and temporary property rights necessary for construction of the Bull Run Filtration Projects through negotiation or the exercise of the City's Eminent Domain Authority](#) (Ordinance)

Document number: 191094

Introduced by: Commissioner Mingus Mapps

Bureau: Water

Second reading agenda item 992.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1028

[*Accept and appropriate grant in the amount of \\$15 million from State of Oregon Department of Administrative Services for design and construction of the North Portland Aquatic Center](#) (Emergency Ordinance)

Document number: 191095

Introduced by: Commissioner Carmen Rubio

Bureau: Parks & Recreation

Time requested: 20 minutes

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1029

[*Authorize new construction financing for an affordable housing project located at 888 SE Alder St to be developed by Related Northwest & Centro Cultural or affiliate not to exceed \\$30,364,500.](#)(Emergency Ordinance)

Document number: 191096

Introduced by: Commissioner Dan Ryan

Bureau: Housing Bureau

Time requested: 15 minutes

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Absent
Commissioner Dan Ryan Yea
Commissioner Jo Ann Hardesty Yea
Mayor Ted Wheeler Yea

1030

[Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for 23rd & Marshall Apartments located at 1137 NW 23rd Ave.](#)(Ordinance)

Document number: 191116

Introduced by: Commissioner Dan Ryan

Bureau: Housing Bureau

Time requested: 15 minutes

Disposition: Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1031

[*Accept and appropriate Staffing for Adequate Fire and Emergency Response Grant from the Department of Homeland Security to fund six Portland Fire & Rescue Firefighters in the amount of \\$2,076,406](#) (Emergency Ordinance)

Document number: 191097

Introduced by: Commissioner Jo Ann Hardesty

Bureau: Portland Fire & Rescue

Time requested: 15 minutes

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Yea
Commissioner Dan Ryan Yea
Commissioner Jo Ann Hardesty Yea
Mayor Ted Wheeler Yea

1032

[*Authorize the Bureau of Transportation to acquire certain permanent and temporary property rights necessary for construction of the Jade and Montavilla Multimodal Improvements Project through the exercise of the City's Eminent Domain Authority](#) (Emergency Ordinance)

Document number: 191098

Introduced by: Commissioner Jo Ann Hardesty

Bureau: Transportation

Time requested: 10 minutes

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

Wednesday, December 7, 2022 2:00 pm

Session Status: Adjourned

Council in Attendance: Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Mayor Wheeler presided.

Commissioner Ryan arrived at 2:04 p.m.

Officers in attendance: Wendy Hain, Senior Deputy City Attorney; Keelan McClymont, Council Clerk

Council adjourned at 2:27 p.m.

Time Certain

1033

[*Amend Motor Vehicle Fuels Code to increase the minimum content requirements for biofuels and add a carbon intensity standard to ensure lowest carbon fuels are sold in the City of Portland \(amend Code Chapter 16.60\)](#)

(Emergency Ordinance)

Document number: 191100

Introduced by: Commissioner Carmen Rubio

Bureau: Planning and Sustainability

Time certain: 2:00 pm

Time requested: 1 hour

Previous agenda item 978.

Disposition: Passed As Amended

Motion to add an emergency clause to allow the Bureau of Planning and Sustainability to start on implementation, and in particular to get the technical advisory committee up and running to respond to stakeholders' urgency and concerns: Moved by Rubio and seconded by Hardesty. (Y-5)

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

Thursday, December 8, 2022 2:00 pm

Session Status: No session scheduled