



December 14-15, 2022 Council Agenda

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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 14, 2022 9:30 am

Session Status: Recessed

Council in Attendance: Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Former Commissioner Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Mayor Wheeler presided.

Commissioner Ryan arrived at 9:32 a.m.

Officers in attendance: Karen Moynahan, Chief Deputy City Attorney; Keelan McClymont, Council Clerk

The Consent Agenda was adopted on a Y-5 roll call.

Council recessed at 9:43 a.m. and reconvened at 9:45 a.m.

Council recessed at 9:54 a.m. and reconvened at 9:55 a.m.

Council recessed at 11:53 a.m. and reconvened at 11:58 a.m.

Council recessed at 12:43 p.m.

Communications

1034

[Request of Eric Smith to address Council regarding crime and environmental health and safety](#) (Communication)

Document number: 1034-2022

Disposition: Placed on File

1035

[Request of Autumn West to address Council regarding sidewalks, public access, and the Americans with Disabilities Act](#) (Communication)

Document number: 1035-2022

Disposition: Placed on File

1036

[Request of Ragan VanSise to address Council regarding crime and houselessness](#) (Communication)

Document number: 1036-2022

Disposition: Placed on File

1037

[Request of Mariana Garcia Medina to address Council regarding the Joint Terrorism Task Force resolution](#) (Communication)

Document number: 1037-2022

Disposition: Placed on File

Jessica Maravilla presented to Council for item 1037.

Time Certain

1038

[Appoint Elizabeth Brett and Sharon Nobbe to the Building Code Board of Appeal for terms to expire December 13, 2025](#) (Report)

Document number: 1038-2022

Introduced by: Mayor Ted Wheeler; Commissioner Dan Ryan

Bureau: Development Services (BDS)

Time certain: 9:45 am

Time requested: 15 minutes

Disposition: Confirmed

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

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1039

[*Ratify a successor collective bargaining agreement between the City and Laborers Local 483-Recreation for the terms and conditions of employment of represented employees in the Recreation bargaining unit](#) (Emergency Ordinance)

Document number: 191114

Introduced by: Mayor Ted Wheeler; Commissioner Carmen Rubio

Bureau: Human Resources; Parks & Recreation

Time certain: 10:00 am

Time requested: 20 minutes (1 of 2)

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1040

[*Ratify a successor collective bargaining agreement between the City and Laborer's Local 483 relating to the terms and conditions of employment of Seasonal Maintenance Workers for 2022-2026](#) (Emergency Ordinance)

Document number: 191115

Introduced by: Mayor Ted Wheeler

Bureau: Human Resources

Time certain: 10:00 am

Time requested: 20 minutes (2 of 2)

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

Consent Agenda

1041

[Proclaim results of the Municipal Non-partisan General Election on Measure 26-228: Amends Charter: Changes Portland's government structure and process for electing city officials](#) (Proclamation)

Document number: 1041-2022

Introduced by: Mayor Ted Wheeler

Disposition: Placed on File

1042

[*Authorize one-time exception to Title 17 Underground Wiring Districts Code to allow for the placement of electrical conduit and lighting in the public right of way on NW 3rd Ave between NW Couch St and NW Davis St \(allow exception to Code Section 17.60.020\)](#) (Emergency Ordinance)

Document number: 191101

Introduced by: Mayor Ted Wheeler

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1043

[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

Second reading agenda 1008.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1044

[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

Second reading agenda item 1011.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1045

[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

Second reading agenda item 1012.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1046

[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

Second reading agenda item 1013.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1047

[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

Second reading agenda item 1014.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

1048

[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

Second reading agenda item 1015.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1049

[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

Second reading agenda item 1016.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1050

[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

Second reading agenda item 1017.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1051

[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

Second reading agenda item 1018.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1052

[*Authorize price agreement with Northwest Success, Inc., an Oregon Forward Contractor, for janitorial services at Portland Parks & Recreation locations not to exceed \\$1 million for a nine-month term](#) (Emergency Ordinance)

Document number: 191111

Introduced by: Commissioner Carmen Rubio

Bureau: Parks & Recreation

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1053

[Approve and terminate limited tax exemptions for properties under the Homebuyer Opportunity Limited Tax Exemption Program](#) (Resolution)

Document number: 37603

Introduced by: Commissioner Dan Ryan

Bureau: Housing Bureau

Disposition: Adopted

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1054

[*Authorize contract with the lowest responsible bidder for the Halsey Corridor Lighting project](#) (Emergency Ordinance)

Document number: 191112

Introduced by: Former Commissioner Commissioner Jo Ann Hardesty

Bureau: Transportation

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1055

[*Authorize contract with the lowest responsible bidder for the NE/SE 82nd Ave Corridor Lighting project](#) (Emergency Ordinance)

Document number: 191113

Introduced by: Former Commissioner Commissioner Jo Ann Hardesty

Bureau: Transportation

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1056

[Certify abstract of votes cast, candidates elected, and proclaim Measure 26-228 approved at the Municipal Non-Partisan General Election held on November 8, 2022](#) (Report)

Document number: 1056-2022

Introduced by: Former Auditor Mary Hull Caballero

Bureau: Auditor's Office; City of Portland Elections Office

Disposition: Accepted

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

Regular Agenda

1057

[Adopt Human Resources Administrative Rule, Employee Work Location, to define allowable work location and related criteria \(add HRAR 4.045\)](#) (Ordinance)

Introduced by: Mayor Ted Wheeler

Bureau: Human Resources; Management and Finance

Time requested: 15 minutes

Disposition: Passed to second reading

Passed to second reading January 4, 2023 at 9:30 a.m.

1058

[Accept the Chief Procurement Officer's recommendation for contract to Ferguson Waterworks for water works supplies not to exceed \\$20 million](#) (Report)

Document number: 1058-2022

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance; Revenue and Financial Services

Time requested: 5 minutes

Disposition: Accepted - Prepare Contract

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

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1059

[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

Second reading agenda item 1002.

Disposition: Passed to second reading as amended

Motion to accept amended Exhibit A: Moved by Wheeler and seconded by Hardesty. (Y-5)

Passed to second reading January 4, 2023 at 9:30 a.m. as amended

1060

[Establish 2023 sale price cap for the Homebuyer Opportunity Limited Tax Exemption Program](#) (Resolution)

Document number: 37604

Introduced by: Commissioner Dan Ryan

Bureau: Housing Bureau

Time requested: 20 minutes

Disposition: Adopted

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1061

[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

Second reading agenda item 1030.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1062

[*Approve findings to authorize exemption to the competitive bidding requirements and approve use of the alternative contracting method of a Construction Manager/General Contractor for the 82nd Ave Major Maintenance Project](#) (Emergency Ordinance)

Document number: 191119

Introduced by: Former Commissioner 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

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1063

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

Document number: 191117

Introduced by: Former Commissioner Commissioner Jo Ann Hardesty

Bureau: Transportation

Second reading agenda item 1000.

Disposition: Passed As Amended

Motion to amend the ordinance to add Directive U and add an emergency clause to provide assurance of performance under Code Section 17.24.055 for frontage improvements to enable construction of Berrydale Park as soon as possible: Moved by Hardesty and seconded by Wheeler. (Y-5)

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1064

[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: Former Commissioner Commissioner Jo Ann Hardesty

Bureau: Transportation

Second reading agenda item 1001.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

Four-Fifths Agenda

1064 - 1

[Appoint K.C. Lewis to the Police Accountability Commission](#) (Resolution)

Document number: 37605

Introduced by: Mayor Ted Wheeler; Former Commissioner Commissioner Jo Ann Hardesty

Bureau: Community Safety Division; Management and Finance

Time requested: 10 minutes

Disposition: Adopted

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

Wednesday, December 14, 2022 2:00 pm

Session Status: Recessed

Council in Attendance: Commissioner Carmen Rubio

Commissioner Dan Ryan

Former Commissioner Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Commissioner Mapps presided.

Officers in attendance: Karen Moynahan, Chief Deputy City Attorney; Keelan McClymont, Council Clerk

Council recessed at 2:51 p.m.

Time Certain

1065

[Accept the City of Portland Annual Comprehensive Financial Report for Fiscal Year Ended June 30, 2022 and corresponding financial audit](#) (Report)

Document number: 1065-2022

Introduced by: Mayor Ted Wheeler

Bureau: Revenue and Financial Services

Time certain: 2:00 pm

Time requested: 1 hour

Disposition: Accepted

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

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Absent

Thursday, December 15, 2022 2:00 pm

Session Status: Adjourned

Council in Attendance: Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Former Commissioner Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Mayor Wheeler presided. Mayor Wheeler left at 3:25 p.m. and Commissioner Mapps presided.

Commissioner Ryan left at 4:18 p.m.

Mayor wheeler returned at 4:25 p.m. and presided.

Officers in attendance: Lauren King, Senior Deputy City Attorney; Robert Taylor, City Attorney; Megan Lehman, Acting Council Clerk

Council recessed at 3:13 p.m. and reconvened at 3:23 p.m.

Council adjourned at 5:11 p.m.

Time Certain

1066

[Accept report from the City Arts Program](#) (Report)

Document number: 1066-2022

Introduced by: Mayor Ted Wheeler; Commissioner Carmen Rubio

Bureau: Management and Finance

Time certain: 2:00 pm

Time requested: 30 minutes

Disposition: Accepted

Motion to accept the report: Moved by Mapps and seconded by Wheeler.

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1067

[Accept Regional Arts & Culture Council FY 2021-22 Annual Report](#) (Report)

Document number: 1067-2022

Introduced by: Mayor Ted Wheeler; Commissioner Carmen Rubio

Bureau: Management and Finance

Time certain: 2:30 pm

Time requested: 1 hour

Disposition: Placed on File

Motion to accept the report: Moved by Wheeler and seconded by Hardesty. (Y-Rubio, Wheeler; N-Mapps, Hardesty; Ryan absent). Council failed to accept the report.

