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## 191300

Ordinance

### Authorize Intergovernmental Agreement with Regional Disaster Preparedness Organization to allow building-related Stranded Workers to work in the jurisdiction where they are stranded due to an emergency that disrupts communication and transportation routes

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. On November 19, 2014, the City of Portland authorized an Intergovernmental Agreement between the City and the Regional Disaster Preparedness Organization (RDPO) [Ordinance 186894](#) (<https://efiles.portlandoregon.gov/Record/7061582/>). The RDPO is responsible for developing, maintaining, and implementing a regional disaster preparedness vision, strategy, work plan, and process for the geographic area encompassing Clackamas, Columbia, Multnomah, and Washington County in Oregon and Clark County in Washington and RDPO-adjacent Oregon counties (the RDPO Region).
2. Many agencies in the RDPO Region employ building officials, inspectors, engineers, plans examiners, and architects with professional certifications who qualify as Building Safety Evaluators (BSEs) and other building-related staff such as those who work with permitting, permitting software, and maintaining the facilities of agencies in the RDPO Region.
3. The Pacific Northwest is prone to natural hazards such as earthquakes, floods, wind, snow, and ice storms. When these hazards occur, they may significantly damage or impact transportation routes, cause a loss of power and communications, and leave BSEs and other building-related staff stranded and unable to report to their normal work locations. These Stranded Workers may still be available to assist with permitting, or other building-related functions in another agency.
4. The purpose of this Stranded Worker Intergovernmental Agreement is to authorize, facilitate and establish conditions and provisions for the sharing of Stranded Workers within the RDPO Region during a building safety emergency where transportation routes are severely disrupted,

#### Introduced by

[Commissioner Carmen Rubio](#)

#### Bureau

[Development Services \(BDS\)](#)

#### Contact

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#### Requested Agenda Type

Regular

#### Date and Time Information

**Requested Council Date**  
May 31, 2023


- or other hazards exist, and Stranded Workers are unable to report to their normal work locations or duty stations.
5. The City of Portland, Bureau of Development Services (BDS), is responsible for assessing the safety of building within the City. More than 206,000 buildings will need evaluation after the Cascadia Subduction Zone earthquake. BDS has about 150 qualified staff who can evaluate whether buildings are safe to re-enter and re-occupy.
  6. With the current number of buildings and qualified staff and estimating 30-45 minutes per building for the initial safety evaluation, assuming all 150 staff are available to work, the best-case scenario is that it will take nearly 20 weeks to evaluate all of the buildings in Portland.
  7. Between 40% and 50% of BDS' qualified building assessment staff live outside the City of Portland boundaries. The City's building-related staff living outside City boundaries may not be able to report to their duty stations for several weeks until these routes and networks have been restored. With this Stranded Worker Intergovernmental Agreement, these Stranded Workers could be available to participate in building safety evaluations for other agencies within the RDPO Region.
  8. An unknown number of qualified building evaluation staff from other jurisdictions live within Portland's boundaries and may not be able to report to their duty stations outside the City while transportation routes and communication networks are disrupted. With this Stranded Worker Intergovernmental Agreement, these Stranded Workers likewise could be available to participate in the building safety evaluations within the City.
  9. Businesses and residents who can't re-occupy their buildings are often forced to leave the City and may not return if they are unable to re-occupy and resume working. When workers and businesses leave, it takes much longer for the local economy to recover. Other disasters have shown this repeatedly. The economic recovery of the City and the RDPO Region will be closely tied to the availability of re-occupiable building stock.
  10. By entering into this Stranded Worker Intergovernmental Agreement the City of Portland can accept qualified and credentialed staff from other jurisdictions who are Stranded Workers and put them to work evaluating buildings within the City to be sure they are safe to re-occupy. Similarly, other agencies within the RDPO Region will be able to accept qualified and credentialed City Stranded Workers to help work on evaluating their buildings in their jurisdictions.


NOW, THEREFORE, the Council directs:

- A. The Mayor is hereby authorized to approve, by signature, the Stranded Worker Intergovernmental Agreement in a form similar to the Stranded Worker Intergovernmental Agreement attached as Exhibit A.
- B. The Director of the Bureau of Development Services is authorized to accept on behalf of the City of Portland any subsequent modifications to the building-related Stranded Worker Intergovernmental Agreement provided such modifications do not increase the City of Portland's financial obligation nor risk. Any modifications that increase the City of

Portland's financial obligation or risk must be authorized by Portland City Council.

## Documents and Exhibits

 [Memo to Council](https://www.portland.gov/sites/default/files/council-documents/2023/building-related-stranded-worker-agreement-swag-memo-to-council-052423.pdf) (https://www.portland.gov/sites/default/files/council-documents/2023/building-related-stranded-worker-agreement-swag-memo-to-council-052423.pdf) 186.75 KB

 [Exhibit A](https://www.portland.gov/sites/default/files/council-documents/2023/building-related-stranded-worker-agreement-swag-exhibit-a-052423.pdf) (https://www.portland.gov/sites/default/files/council-documents/2023/building-related-stranded-worker-agreement-swag-exhibit-a-052423.pdf) 265.43 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council  
May 31, 2023

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

A Stranded Worker Intergovernmental Agreement (SWAG) is triggered under limited and specific circumstances – when skilled workers are unable to report to their normal work location / jurisdiction (usually due to a catastrophic emergency) AND when the ‘receiving’ agency lacks bandwidth and capacity and welcomes the assistance. A SWAG allows stranded workers to contribute their skills to whatever jurisdiction they find themselves in during an emergency (but only if they are prevented from reporting to their normal work situation).

The five county Regional Disaster Preparedness Organization ([RDPO](https://rdpo.net/) (https://rdpo.net/)) region already has a SWAG in place for emergency operations center staff<sup>[1]</sup> and [ORWARN](https://www.orwarn.org/mutualAid.aspx) (https://www.orwarn.org/mutualAid.aspx) (Oregon Wastewater Agency Response Network) has both mutual aid and shared worker agreements in place for the water sector. Washington state has a well-developed building safety Mutual Aid system operating within the state.

This SWAG is specifically for building-related staff including administrative permitting staff, permitting software support, and facility maintenance technicians. The main focus, however, is on Building Safety Evaluators (BSEs). BSEs are licensed architects, building inspectors, and engineers who are trained in [ATC-20](https://www.atccouncil.org/atc-20) (https://www.atccouncil.org/atc-20) (a method for evaluating buildings for safety after earthquakes) and credentialed by a state program

such as [CalOES SAP](https://www.caloes.ca.gov/office-of-the-director/operations/recovery-directorate/interagency-recovery-coordination/recovery-analytics-engineers-and-specialists/safety-assessment-program/) (<https://www.caloes.ca.gov/office-of-the-director/operations/recovery-directorate/interagency-recovery-coordination/recovery-analytics-engineers-and-specialists/safety-assessment-program/>), [OrSAP](https://www.oregon.gov/osp/programs/sfm/Pages/Oregon-Safety-Assessment-Program-(OrSAP).aspx) ([https://www.oregon.gov/osp/programs/sfm/Pages/Oregon-Safety-Assessment-Program-\(OrSAP\).aspx](https://www.oregon.gov/osp/programs/sfm/Pages/Oregon-Safety-Assessment-Program-(OrSAP).aspx)), or [WAsafe](https://www.wabo.org/emergency-management) (<https://www.wabo.org/emergency-management>). These qualified, trained staff will be deputized by the jurisdiction they are stranded in to evaluate our buildings so that we know they are safe to re-occupy.

This SWAG was developed as part of the [Regional Building Damage Assessment Project](https://rdpo.net/building-damage-assessment) (<https://rdpo.net/building-damage-assessment>) (RBDAP) as a tool to enhance our coordination and response to an earthquake. The SWAG identifies how the system works including notifications, reimbursements, and liability and is accompanied by an SOP. The SWAG will be maintained by RDPO staff.

During this initial signatory process, we are working within the five RDPO counties (Multnomah, Washington, Columbia, Clark, Clackamas). Municipalities, counties, and special districts are eligible to sign, and the agreement can be expanded to neighboring counties. This proposed ordinance does not seek any changes to City codes or policies.

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[1]<https://rdpo.net/structure> (<https://rdpo.net/structure>) Scroll to the bottom and click on [Regional Stranded/Shared Workers' Agreement](https://rdpo.net/s/Shared-Workers-IGA.pdf) (<https://rdpo.net/s/Shared-Workers-IGA.pdf>)

## Financial and Budgetary Impacts

This ordinance has no budgetary impacts and would not impact staffing levels. When the agreement is activated after a catastrophic emergency, jurisdictions will negotiate payments for stranded workers based on current salaries and duration of service. Considering the agreement would only be activated after a catastrophic event, it is likely that the City would be operating under an emergency declaration.

## Community Impacts and Community Involvement

This ordinance won't affect anyone until a catastrophic event affects everyone. It will most likely be the Cascadia Subduction Zone earthquake. When the SWAG is activated it will mean that potentially more responders are available to assess the safety of our buildings so that Portlanders can know whether or not it is safe to go back into their buildings.

## 100% Renewable Goal

This proposal neither increases or decreases the City's energy usage from its current state.

## Agenda Items

419 Regular Agenda in [May 24, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/5/24)  
(<https://www.portland.gov/council/agenda/2023/5/24>)

Passed to second reading

Passed to second reading May 31, 2023 at 9:30 a.m.

448 Regular Agenda in [May 31-June 1, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/5/31)  
(<https://www.portland.gov/council/agenda/2023/5/31>)

Passed

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea