

## ORDINANCE No. 190167

\*Amend District Property Management License Code related to the use of revenues collected for lighting and district amenities to increase the flexibility in the use of funds (Ordinance; amend Code Section 6.06.216)

The City of Portland ordains:

Section 1. The Council finds:

1. Since 2002, the Clean & Safe Enhanced Service District (Clean & Safe) has collected separate revenues under Section 6.06.216 for lighting and district amenities. These revenues are collected in addition to the regular Clean & Safe revenues under Section 6.06.010, which can be used for cleaning, security, crime prevention and other services that benefit properties in Clean & Safe.
2. Currently, the use of the lighting and district amenities revenue is limited to lighting and district amenities only and cannot be used for the general purposes under Section 6.06.010. The amount of revenues that have been collected for lighting and district amenities has been sufficient to fund this program and there is currently an excess in collections above what is needed to fund the program.
3. Increased flexibility for the allowed uses of any excess funds in the Lighting and District Amenities Program funds, will allow Clean & Safe to put these funds to immediate use removing debris and other hazards in the downtown district.
4. It is in the interest of Clean & Safe and the City to increase the flexibility in the use of these excess funds to address the current livability needs and any needs that may arise in the future that are in alignment with the existing restrictions in Section 6.06.010.

NOW, THEREFORE, The Council directs:

a. Portland City Code Section 6.06.216.E.3 is amended as follows:

3. If a qualified contractor determines that lighting revenue and district amenities revenues in a license year will exceed or have exceeded the costs and expenses of the lighting program and the district amenities program in that license year and that the excess revenues will not be needed to fund a prudent reserve or for the costs and expenses of the lighting program and district amenities program in future license years, then ~~for distribution by the qualified contractor to the payers of the lighting revenues and district amenities revenues of that portion of the excess determined by the qualified contractor not to be so needed, in proportion to the amount paid by each payer in the license year that produced the excess~~ can be used to fund any item(s) in Section 6.06.010.

Section 2. The Council declares that an emergency exists because of the urgent need to use the revenues that would be made available by the legislation. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: October 21, 2020

Mayor Ted Wheeler

Prepared by: Scott Karter

Date Prepared: September 25, 2020

**Mary Hull Caballero**

Auditor of the City of Portland

By *Keelan McClymont*  
Deputy

**Agenda No. 829**  
**Item Type: Ordinance No. 190167**  
**Council Meeting Date: October 21, 2020**

Title: \*Amend District Property Management License Code related to the use of revenues collected for lighting and district amenities to increase the flexibility in the use of funds (Ordinance; amend Code Section 6.06.216)

**AGENDA TYPE**

**Consent**

**Regular**

**Time Certain** Start Time

Item 1 of 1

Total amount of time needed for presentation, testimony and discussion (Regular and Time Certain Only): N/A (Consent)

**INTRODUCED BY: Mayor Wheeler**

**COMMISSIONER / AUDITOR APPROVAL**

Mayor - Finance & Admin. - Wheeler Digitally signed by Mustafa Washington  
Date: 2020.10.13 10:02:28 -0700'  
 Position 1/ Utilities - Fritz  
 Position 2/ Works - Ryan  
 Position 3/ Affairs - Hardesty  
 Position 4/ Safety - Eudaly  
 City Auditor - Hull Caballero

**BUREAU APPROVALS**

Bureau: OMF/BRFS  
 OMF/CAO: Tom Rinehart Digitally signed by Tom Rinehart  
Date: 2020.09.30 14:55:52 -0700'  
 Bureau Approval: Michelle Kirby Digitally signed by Michelle Kirby  
Date: 2020.09.30 12:00:17 -0700'

Prepared By: Scott Karter  
 Date Prepared: September 28, 2020

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

4) Is this item a contract (current or future), code, easement, franchise, comp plan or Charter?  Yes  No  
 If yes, **Attorney Office** Approval

If yes, **Auditor Office** Approval DB

Ken McGair Digitally signed by Ken McGair  
Date: 2020.09.28 17:38:23 -0700'

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  No

**ACTION TAKEN:**

CLERK USE: DATE FILED 10/13/20

Mary Hull Caballero  
Auditor of the City of Portland

By: Keelan McClymont Digitally signed by Keelan McClymont  
Date: 2020.10.13 14:45:46 -0700'  
 Deputy

**FOUR-FIFTHS AGENDA**

1. Fritz
2. Ryan
3. Hardesty
4. Eudaly
Wheeler

**COMMISSIONERS VOTED AS FOLLOWS:**

	YEAS	NAYS
1. Fritz	✓	
2. Ryan	✓	
3. Hardesty	✓	
4. Eudaly	✓	
Wheeler	✓	