



## December 15-16, 2021 Council Agenda

5639

**Please note, City Hall is closed to the public due to the COVID-19 Pandemic.**

Under Portland City Code and state law, the City Council is holding this meeting electronically. All members of council are attending remotely by video and teleconference, and the City has made several avenues available for the public to listen to the audio broadcast of this meeting. The meeting is available to the public on the City's YouTube Channel, eGov PDX, [www.portlandoregon.gov/video](http://www.portlandoregon.gov/video) and Channel 30.

The public may provide written testimony to Council by emailing the Council Clerk at [cctestimony@portlandoregon.gov](mailto:cctestimony@portlandoregon.gov).

The Council is taking these steps as a result of the COVID-19 pandemic and the need to limit in-person contact and promote social distancing. The pandemic is an emergency that threatens the public health, safety and welfare which requires us to meet remotely by electronic communications. Thank you all for your patience, flexibility and understanding as we manage through this difficult situation to do the City's business.

Email the Council Clerk at [councilclerk@portlandoregon.gov](mailto:councilclerk@portlandoregon.gov) with any questions.

### Wednesday, December 15, 2021 9:30 am

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**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.

Officers in attendance: Lauren King, Deputy City Attorney; Keelan McClymont, Council Clerk

Items 883, 886, and 889 were pulled from the Consent Agenda and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

Council recessed at 11:55 a.m. and reconvened at 12:00 p.m.

Council recessed at 1:28 p.m.

### **Communications**

875

[Request of Diana K. Martinez to address Council regarding the Portland fur sale ban](#) (Communication)

**Document number:** 875-2021

**Disposition:** Placed on File

876

[Request of Nathalie Hutchinson to address Council regarding conversion of Lloyd Center into Multnomah public market](#) (Communication)

**Document number:** 876-2021

**Disposition:** Placed on File

877

[Request of Miranda Eisen to address Council regarding food equity and animal welfare](#) (Communication)

**Document number:** 877-2021

**Disposition:** Placed on File

878

[Request of Matthew Orion Tam to address Council regarding the issue of homelessness](#) (Communication)

**Document number:** 878-2021

**Disposition:** Placed on File

879

[Request of Magdalena Madrid to address Council regarding homeless campsite and dangerous activity affecting her children](#) (Communication)

**Document number:** 879-2021

**Disposition:** Placed on File

## Time Certain

880

[Steve Lowenstein Trust Award 2021](#) (Presentation)

**Document number:** 880-2021

**Introduced by:** Commissioner Mingus Mapps

**Time certain:** 9:45 am

**Time requested:** 30 minutes

**Disposition:** Placed on File

## Consent Agenda

881

[Amend Portland Utility Board Code to make housekeeping changes to modernize language and reflect current practices \(amend Code Chapter 3.123\)](#) (Ordinance)

**Introduced by:** Mayor Ted Wheeler; Commissioner Mingus Mapps

**Bureau:** City Budget

**Disposition:** Passed to second reading

Passed to second reading December 22, 2021 at 9:30 a.m.

882

[\\*Authorize the Director of the Bureau of Emergency Management to execute 2021 Community Resilience Project grant agreements in amount not to exceed \\$100,000](#) (Emergency Ordinance)

**Document number:** 190631

**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

883

[\\*Authorize a Letter of Agreement between the City, Portland Fire & Rescue, and the Portland Fire Fighters' Association, International Association of Fire Fighters Local 43 to amend the Collective Bargaining Agreement to decrease the minimum participation commitment and allow the rehiring of separated employees](#) (Emergency Ordinance)

**Document number:** 190649

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Human Resources; Management and Finance

Item 883 was pulled from the Consent Agenda for discussion.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

884

[\\*Authorize a Letter of Agreement between the City, Portland Fire & Rescue, and the Portland Fire Fighters' Association, International Association of Fire Fighters Local 43 to amend the Collective Bargaining Agreement to incentivize the hiring of lateral firefighters](#) (Emergency Ordinance)

**Document number:** 190632

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Human Resources; Management and Finance

**Disposition:** Passed

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

885

[\\*Authorize a Letter of Agreement between the City, Portland Fire & Rescue, and the Portland Fire Fighters' Association, International Association of Fire Fighters Local 43 to amend the Collective Bargaining Agreement Schedule A to include Community Health Medic classification](#) (Emergency Ordinance)

**Document number:** 190633

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Human Resources; Management and Finance

**Disposition:** Passed

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

886

[\\*Authorize a Letter of Agreement between the City, Portland Fire & Rescue, and the Portland Fire Fighters' Association, International Association of Fire Fighters Local 43 to provide employees working a suppression schedule additional vacation leave](#) (Emergency Ordinance)

**Document number:** 190650

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Human Resources; Management and Finance

Item 886 was pulled from the Consent Agenda for discussion.

**Disposition:** Passed As Amended

Motion to add emergency clause due to the ongoing crisis that Portland Fire & Rescue has been responding to, it's in the City's best interest to put this policy into place as soon as possible: Moved by Hardesty and seconded by Mapps. (Y-5)

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

887

[Authorize Intergovernmental Agreement with Metro to provide Portland's funding for the Arlene Schnitzer Concert Hall Sewer Reconnection Project not to exceed \\$150,000](#) (Ordinance)

**Document number:** 190634

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance

Second reading agenda item 864.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

888

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

**Document number:** 37557

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Disposition:** Adopted

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

889

[Establish 2022 sale price cap for the Homebuyer Opportunity Limited Tax Exemption Program](#) (Resolution)

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

Item 889 was pulled from the Consent Agenda for discussion.

**Disposition:** Referred to Commissioner of Public Works

890

[\\*Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for 53G located at 5385 NE Glisan St](#) (Emergency Ordinance)

**Document number:** 190635

**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

891

[\\*Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for 550 MLK located at 540 Martin Luther King Jr Blvd](#) (Emergency Ordinance)

**Document number:** 190636

**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

892

[\\*Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Alberta 29 located at 2465 NE Alberta St](#) (Emergency Ordinance)

**Document number:** 190637

**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

893

[\\*Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for The Canopy Apartments at Powell – Building A located at 12475 SE Powell Blvd](#) (Emergency Ordinance)

**Document number:** 190638

**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

894

[\\*Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for The Canopy Apartments at Powell – Building B located at 12485 SE Powell Blvd](#) (Emergency Ordinance)

**Document number:** 190639

**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

895

[\\*Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Killingsworth Apartments located at 1341 N Killingsworth St](#) (Emergency Ordinance)

**Document number:** 190640

**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

896

[\\*Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Minnesota Places located at 1220 N Jessup St](#) (Emergency Ordinance)

**Document number:** 190641

**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



897

[\\*Approve 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](#) (Emergency Ordinance)

**Document number:** 190642

**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

898

[\\*Authorize application to the Department of Homeland Security for a grant not to exceed \\$3 million for the Assistance to Firefighters Grant Program to fund equipment and training](#) (Emergency Ordinance)

**Document number:** 190643

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Portland Fire & Rescue

**Disposition:** Passed

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

899

[Amend Regulation of Lobbying Entities Code to update City director definition and replace gender-specific language \(amend Code Section 2.12.020\)](#) (Ordinance)

**Document number:** 190644

**Introduced by:** Auditor Mary Hull Caballero

**Bureau:** City of Portland Elections Office

Second reading agenda item 870.

**Disposition:** Passed

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

## Regular Agenda

900

[Appoint Kenechi Onyeagusi to the Portland Housing Advisory Commission for a term to expire November 2023](#)

(Report)

**Document number:** 900-2021

**Introduced by:** Mayor Ted Wheeler; Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Time requested:** 10 minutes

**Disposition:** Confirmed

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

901

[Appoint Moriah McSharry McGrath and Pippa Arend to the Rental Services Commission for terms to expire December 2023](#) (Report)

**Document number:** 901-2021

**Introduced by:** Mayor Ted Wheeler; Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Time requested:** 10 minutes

**Disposition:** Confirmed

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

902

[Adopt City of Portland Investment Policy](#) (Resolution)

**Introduced by:** Mayor Ted Wheeler

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

**Time requested:** 5 minutes

**Disposition:** Continued

Continued to December 22, 2021 at 9:30 a.m.

903

[\\*Create a new nonrepresented classification of Director of Police Education and Training, which is exempt from classified service, and establish a compensation range](#) (Emergency Ordinance)

**Document number:** 190645

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Human Resources; Management and Finance

Second reading agenda item 862.

**Disposition:** Passed As Amended

Motion to add emergency clause in order that the classification and compensation action may occur without delay: Moved by Wheeler 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

904

[Authorize application and accept award funds from Federal Emergency Management Agency in the amount of \\$1,665,000 for the Portland International Raceway Pump Station Upgrade Design Project](#) (Ordinance)

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

**Time requested:** 10 minutes

**Disposition:** Passed to second reading

Passed to second reading December 22, 2021 at 9:30 a.m.

905

[Authorize contract with Carollo Engineers, Inc. for engineering services for the Columbia Boulevard Wastewater Treatment Plant Blower System and Building Rehabilitation Project No. E11038 for \\$4,374,679 \(Contract No. 30007680\)](#) (Ordinance)

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

**Time requested:** 10 minutes

**Disposition:** Passed to second reading

Passed to second reading December 22, 2021 at 9:30 a.m.

906

[Authorize a competitive solicitation and contract with the lowest responsible bidder for construction of the Stark Trunk Relief Structure Project No. E11009 for an estimated cost of \\$2,400,000](#) (Ordinance)

**Document number:** 190646

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

Second reading agenda item 872.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

907

[Authorize a competitive solicitation and contract with the lowest responsible bidder for construction of the City-wide Sump Replacement Project No. E11155 for an estimated cost of \\$1,458,600](#) (Ordinance)

**Document number:** 190647

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

Second reading agenda item 873.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

908

[Accept report to present draft administrative rules to implement new Bull Run protections for Council review prior to adoption by Water Bureau Administrator](#) (Report)

**Document number:** 908-2021

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

**Time requested:** 25 minutes

Previous agenda item 850.

**Disposition:** Accepted

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

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

909

[\\*Amend Intergovernmental Agreement with Multnomah County to authorize FY 2021-22 revised budget allocation to the Joint Office of Homeless Services for the provision of homeless services and permanent housing placement activities \(amend Contract No. 30005335\)](#) (Emergency Ordinance)

**Document number:** 190648

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**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

910

[Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for The Gabriel located at 4525 SW California St](#) (Ordinance)

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Time requested:** 10 minutes

**Disposition:** Passed to second reading

Passed to second reading December 22, 2021 at 9:30 a.m.

**Wednesday, December 15, 2021 2:00 pm**

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**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 Ryan presided at 2:03 p.m.

Commissioner Rubio arrived at 2:02 p.m.

Officers in attendance: Lauren King, Deputy City Attorney; Keelan McClymont, Council Clerk

Council recessed at 3:53 p.m.

**Time Certain**

[Amend Title 33 Planning and Zoning and Title 32 Signs and Related Regulations to revise and update regulations for historic resources \(amend Code Titles 32 and 33\)](#) (Ordinance)

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

**Time certain:** 2:00 pm

**Time requested:** 2 hours

Previous agenda item 791.

Visit Historic Resources Code Project webpage for more information, <https://www.portland.gov/bps/hrcp>.

**Disposition:** Continued As Amended

Oral and written record are closed.

Motion to allow 10' of bonus height for certain development proposals in Historic and Conservation Districts in the CM2 Commercial Mixed Use zone: Moved by Hardesty and seconded by Rubio. (Y-5)

Motion to allow certain affordable housing proposals subject to historic resource review to be processed through a Type II or Type IX procedure following a required design advice request meeting: Moved by Ryan and seconded by Hardesty. (Y-5)

Motion to eliminate an existing demolition review approval criterion related to "reasonable economic use" and amend the remaining demolition review approval criteria to ensure underrepresented histories and economic consequences to owners are considered by the decision-maker: Moved by Hardesty and seconded by Rubio. (Y-5)

Motion to allow permits for interior alterations to be issued during 120-day delay, consistent with the applicability of historic resource review: Moved by Ryan and seconded by Hardesty. (Y-5)

Motion to allow for independent recommendations from the Planning and Sustainability Commission and the Historic Landmarks Commission concerning the designation or removal of Historic and Conservation Districts: Moved by Mapps and seconded by Ryan. (Y-1 Mapps; N-4 Rubio, Ryan, Hardesty, Wheeler). Motion failed to pass.

Motion to adjust the Recommended Draft membership categories for the 7-member Historic Landmarks Commission (Amendment 6B): Moved by Mapps and seconded by Rubio. (Y-5)

Motion to allow any Type III historic resource review proposal in the New Chinatown/Japantown Historic District to be processed as a Type II review following a required design advice request meeting: Moved by Mapps and not seconded. Vote not called.

Motion to approve a slate of minor and technical changes intended to clarify and improve the zoning code: Moved by Hardesty and seconded by Rubio. (Y-5)

Continued to January 19, 2022 at 9:45 a.m. Time Certain as amended.

Thursday, December 16, 2021 2:00 pm

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**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 left at 3:57 p.m.

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

Council adjourned at 4:03 p.m.

### Time Certain

912

[\\*Amend an Intergovernmental Agreement with Multnomah County for the Earthquake Ready Burnside Bridge Project for staffing services \(amend Contract No. 30007280\)](#) (Emergency Ordinance)

**Document number:** 190651

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Time certain:** 2:00 pm

**Time requested:** 90 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