



## November 16-17, 2022 Council Agenda

5687

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](mailto:councilclerk@portlandoregon.gov)

### Wednesday, November 16, 2022 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.

Commissioner Mapps arrived at 9:50 a.m.

Officers in attendance: Naomi Sheffield, Senior Deputy City Attorney; Keelan McClymont, Council Clerk

Items 963, 964, and 966 were pulled from the Consent Agenda and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

Council recessed at 11:48 a.m.

### Communications

952

[Request of Peter Zoltanski to address Council regarding Carpenter position with Portland Parks & Recreation](#)

(Communication)

**Document number:** 952-2022

**Disposition:** Placed on File

953

[Request of Angela Todd to address Council regarding public safety](#) (Communication)

**Document number:** 953-2022

**Disposition:** Placed on File

954

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

**Document number:** 954-2022

**Disposition:** Placed on File

955

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

**Document number:** 955-2022

**Disposition:** Placed on File

956

[Request of Alan Comnes to address Council regarding unsanctioned camping in public right-of-way](#)  
(Communication)

**Document number:** 956-2022

**Disposition:** Placed on File

## Time Certain

957

[Approve the Cully Tax Increment Finance District Plan](#) (Ordinance)

**Document number:** 191071

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Prosper Portland

**Time certain:** 9:45 am

**Time requested:** 10 minutes

Second reading agenda item 948.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

958

[Adopt the West Portland Town Center Plan Goals and Policies, Visions, Action Charts, Land Use Concept and Circulation Growth Concept Diagrams, and Coordinated Growth Strategy for Zoning and Infrastructure; amend the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Title 33, and Citywide Design Guidelines \(amend Title 33\)](#) (Ordinance)

**Document number:** 191079

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

**Time certain:** 10:25 am

**Time requested:** 30 minutes

Previous agenda item 905.

Oral record closed October 12, 2022.

**Disposition:** Passed to second reading as amended

Motion to approve as amended ordinance and Findings of Fact Report (Exhibit A): Moved by Rubio and seconded by Hardesty. (Y-5)

Passed to second reading November 30, 2022 at 9:45 a.m. Time Certain as amended.

## Consent Agenda

959

[Nominate Damien Hall to the Metropolitan Exposition and Recreation Commission to fill a City of Portland position](#) (Resolution)

**Document number:** 37600

**Introduced by:** Mayor Ted Wheeler; Commissioner Carmen Rubio

**Bureau:** Management and Finance

**Disposition:** Adopted

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

960

[Reappoint Jessie Gittemeier to the Planning and Sustainability Commission for a term to expire May 31, 2023](#)  
(Report)

**Document number:** 960-2022

**Introduced by:** Mayor Ted Wheeler; Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

**Disposition:** Confirmed

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

961

[Reappoint Andrew Smith to the Portland Historic Landmarks Commission for a term to expire November 27, 2026](#) (Report)

**Document number:** 961-2022

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

**Bureau:** Development Services (BDS)

**Disposition:** Confirmed

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

962

[Reappoint Ernesto Fonseca to the Portland Housing Advisory Commission for a term to expire November 16, 2024](#) (Report)

**Document number:** 962-2022

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

**Bureau:** Housing Bureau

**Disposition:** Confirmed

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

963

[\\*Add Independent District Commission Code to ensure implementation of the voter-approved Charter amendments in Portland Measure 26-228 \(add Code Chapter 3.135\)](#) (Emergency Ordinance)

**Document number:** 191077

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance

Agenda item 963 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

964

[\\*Create the Charter Transition Advisory Committee to advise the City on implementation of the voter-approved Charter amendments in Portland Measure 26-228](#) (Emergency Ordinance)

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance

Agenda item 964 was pulled from the Consent Agenda for discussion.

**Disposition:** Referred to Commissioner of Finance and Administration

965

[\\*Pay property damage claim of Thomas Ferrin in the sum of \\$12,150 resulting from a motor vehicle collision involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

**Document number:** 191068

**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

966

[\\*Authorize contract with ConvergeOne, Inc. to provide Cisco network hardware, software, security support, and services in the amount of \\$11 million](#) (Emergency Ordinance)

**Document number:** 191078

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance; Technology Services

Agenda item 966 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

967

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

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Police

**Disposition:** Passed to second reading

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

968

[Authorize the City Attorney to take legal action to recover costs arising from the failure of fish passage improvements on the Boones Ferry Culvert Replacement Project](#) (Resolution)

**Document number:** 37601

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

**Disposition:** Adopted

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

969

[\\*Authorize contract with the lowest responsible bidder for the 82nd Avenue Pedestrian Crossings Improvement Project](#) (Emergency Ordinance)

**Document number:** 191069

**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

970

[\\*Authorize contract with the lowest responsible bidder for the NE Halsey St and 60th Ave Area Project](#) (Emergency Ordinance)

**Document number:** 191070

**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

## Regular Agenda

971

[Authorize application to Federal Emergency Management Agency for Building Resilient Infrastructure and Communities grant to increase disaster resilience through project planning, solar microgrid construction, and tree planting in the amount of \\$7,200,000 \(Ordinance\)](#)

**Document number:** 191072

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Emergency Management

Second reading agenda item 951.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

972

[Accept bid of Moore Excavation, Inc. for the S Bancroft & S Texas St Sewer Rehabilitation Project for \\$1,752,690 \(Procurement Report - ITB No. 00001942\) \(Report\)](#)

**Document number:** 972-2022

**Introduced by:** Mayor Ted Wheeler

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

**Time requested:** 15 minutes

**Disposition:** Accepted

Motion to accept the report: Moved by Mapps 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



973

[\\*Authorize multiyear price agreements with Associated Petroleum Products, Inc. and Fleet Fuels, LLC for ongoing citywide supply of gasoline and diesel fuel for an annual agreement amount of \\$8 million](#) (Emergency Ordinance)

**Document number:** 191073

**Introduced by:** Mayor Ted Wheeler

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

**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

974

[Authorize Letter of Agreement between the City and the Portland Police Association to ensure Police Officers receive a higher rate of pay upon promotion to Sergeant, Detective, or Criminalist and to amend the hiring process for Public Safety Specialists](#) (Ordinance)

**Document number:** 191074

**Introduced by:** Mayor Ted Wheeler

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

Second reading agenda item 946.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

975

[Authorize bid solicitation and contract with the lowest responsive and responsible bidder for construction of the Fulton Pump Mains Replacement Project for an estimated cost of \\$4,700,000](#) (Ordinance)

**Document number:** 191081

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

**Time requested:** 10 minutes

**Disposition:** Passed to second reading

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

976

[\\*Amend contract with Landis & Landis Construction, LLC for additional costs to meet project specifications for the SW Capitol Highway: SW Taylors Ferry Rd to SW Garden Home Rd Project for a total contract amount of \\$18,251,217 \(amend Contract No. 30007726\)](#) (Emergency Ordinance)

**Document number:** 191075

**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

977

[\\*Authorize competitive solicitation for the construction of the 82nd Ave Crossings: Klickitat-Lambert, NE/SE Project](#) (Emergency Ordinance)

**Document number:** 191076

**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, November 16, 2022 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.

Officers in attendance: Karen Moynahan, Chief Deputy City Attorney; Megan Lehman, Acting Council Clerk

Council recessed at 3:57 p.m.

## Time Certain

978

[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 \(amend Code Chapter 16.60\)](#)  
(Ordinance)

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

**Time certain:** 2:00 pm

**Time requested:** 3 hours

Written record will remain open until November 18, 2022 at 5:00 p.m.

Information found at <https://www.portland.gov/bps/climate-action/renewable-fuel-standard/rfs-code-update/rfs-documents>.

**Disposition:** Continued As Amended

Motion to approve technical amendments to the Ordinance to update dates in Directives B, C, and D: Moved by Rubio and seconded by Hardesty. (Y-5)

Continued to December 7, 2022 at 2:00 p.m. Time Certain as amended

## Thursday, November 17, 2022 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.

Officers in attendance: Adrienne DelCotto, Deputy City Attorney; Keelan McClymont, Council Clerk

Council recessed at 3:12 p.m. and reconvened at 3:23 p.m.

Council recessed at 3:31 p.m. and reconvened at 3:43 p.m.

Council adjourned at 4:57 p.m.

## Time Certain

[Amend the FY 2022-23 Revised Budget and make other budget-related changes \(amend Ordinance 191050\)](#)

(Ordinance)

**Document number:** 191080

**Introduced by:** Mayor Ted Wheeler

**Time certain:** 2:00 pm

**Time requested:** 3 hours

**Disposition:** Passed to second reading as amended

Motion to accept amended Exhibits 1-4: Moved by Ryan and seconded by Mapps. (Y-5)

Motion to add directive E-City Financial Policy FIN-2.03 – Financial Policy is waived and this ordinance does not allocate the required 50% of General Fund discretionary revenue exceeding budgeted beginning fund balance for infrastructure maintenance or replacement in the subsequent budget process: Moved by Wheeler and seconded by Ryan. (Y-Mapps, Rubio, Ryan, Wheeler; N-Hardesty)

Motion to strike paragraph two from proposed amendment to add Directive F: at least \$12 million towards rental assistance and an additional \$3 million for eviction legal defense financial assistance: Moved by Rubio and seconded by Ryan. (Y-5)

Motion to add Directive F-In addition to adjusting to any reallocated Joint Office of Homeless Services funding included in the exhibits to this Ordinance, the Portland Housing bureau shall refrain from advancing \$7 million of the funding allocated in the current year's budget to support the Joint Office of Homeless Services unless and until the Multnomah County Commission approves an additional allocation of at least \$15 million for eviction prevention. The County is planning to vote on a proposal to increase funding towards rental assistance in December. Should the County not approve this additional funding, the City will take action to reappropriate the \$7 million in City funds towards rental assistance and eviction legal defense financial assistance: Moved by Ryan and seconded by Wheeler. (Y-5)

Motion to remove the emergency clause: Moved by Wheeler and seconded by Mapps. (Y-5)

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