

RESOLUTION No.

Direct staff to enter into the City's commitments for the Lents Stabilization and Job Creation Collaborative Oregon Solutions Declaration of Cooperation. (Resolution)

1. WHEREAS, Kate Brown, Governor of the State of Oregon, designated the Lents Stabilization and Job Creation Collaborative (Lents Collaborative) as an Oregon Solutions project on July 7, 2016 (Exhibit A); and
2. WHEREAS, the City of Portland received and accepted the Oregon Solutions project designation through Resolution No. 37227 on August 10, 2016 (Exhibit B), acknowledging that the flood hazard designation in the area imposes real and perceived impacts to development and job creation, area residents are significantly burdened by the rising costs of flood insurance, and that seasonal flooding of roads and development impacts the health of Johnson Creek, a regional fish-bearing tributary of the Willamette River, which is subject to requirements of the Endangered Species Act to restore and protect Chinook Salmon, steelhead trout and other indigenous fish species; and;
3. WHEREAS, the City of Portland does not have a cross-bureau flood hazard resilience team, so it entered into an Intergovernmental Agreement with Portland State University via Oregon Solutions to facilitate a collaborative process through Ordinance No. 188182 on January 4, 2017 (Exhibit C); and
4. WHEREAS, Governor Brown appointed State Rep. Jeff Reardon and Michelle Rudd, land use attorney and Portland Planning and Sustainability Commissioner, as the co-conveners of the Lents Collaborative to lead the multi-agency and stakeholder process to develop strategies and projects that work toward preserving existing housing, enhancing industrial lands for job growth, mitigating flooding and enhancing natural floodplain functions along Johnson Creek; and
5. WHEREAS, the City of Portland participated on the Oregon Solutions Project Team, collectively known as the "Lents Collaborative," with a wide range of stakeholders from City bureaus, state, regional, and federal agencies, community organizations, non-profits, university researchers and the private-sector to study the issues and for partners to develop solutions that work on advancing community goals (Exhibit D); and
6. WHEREAS, the Lents Collaborative was charged by Governor Brown with helping under-served residents, owners of under-utilized industrial land, and owners of businesses impacted by the flood hazard designation to build a foundation for improved community stability; and
7. WHEREAS, the Lents Collaborative engaged hundreds of residents and business owners to share their knowledge and experiences, explain what they need to stay and be successful in the community, share their priorities and recommended actions and investments, and receive support and technical assistance to mitigate their flood insurance costs and flood risks; and
8. WHEREAS, the Lents Collaborative prepared the Lents Stabilization and Job Creation Declaration of Cooperation that outlines their collective priorities for action and good faith commitments to further the community's goals to protect and restore environmental

resources, improve water quality of Johnson Creek, address the destabilizing impacts of rising flood insurance costs, support flood risk education and community resiliency in the floodplain area, and create opportunities for job retention, growth and reinvestment in the East Foster Commercial, Employment and Industrial Districts;

NOW, THEREFORE, BE IT RESOLVED that the City of Portland hereby directs staff to enter into the City's commitments, as substantially described in the Oregon Solutions Declaration of Cooperation (Exhibit E) and begin to implement their work; and

BE IT FURTHER RESOLVED that the City Council directs bureaus to report back to Council in 6 to 12 months on the status of the project and progress made toward the City's commitments.

Passed by the Council:

Mayor Ted Wheeler

Prepared by: Jacob Sherman

Date Prepared: August 24, 2018

Mary Hull Caballero
Auditor of the City of Portland
By

Deputy

IMPACT STATEMENT

Legislation title: Direct staff to enter into the City's commitments for the Lents Stabilization and Job Creation Collaborative Oregon Solutions Declaration of Cooperation.

Contact name: Jacob Sherman (PHB)

Contact phone: 503-823-2373

Presenter names: Directors Michael Jordan (BES), Kimberly Branam (Prosper) and Shannon Callahan (PHB)

Purpose of proposed legislation and background information:

The proposed resolution draws to a close the two-year Oregon Solutions process for the Lents Stabilization and Job Creation Collaborative, which was formed to support strategies to preserve existing housing, enhance industrial lands for job growth, mitigate impacts of flooding, and enhance the ecological functions of floodplains along Johnson Creek. The resolution directs City staff to enter into the City's good-faith commitments as expressed in the non-binding Oregon Solutions Declaration of Cooperation and begin to implement their work. It also asks City bureaus to report back to Council in 6 to 12 months on the status of the project and progress made toward the City's commitments.

Financial and budgetary impacts:

The resolution has no financial impact to the City at this time. The City's commitments to the Lents Collaborative can be advanced through a variety of approaches over the next three to five years. At this time, projects that would require new resources have not been scoped, vetted, or selected.

The City's commitments expressed in the Declaration of Cooperation are achievable within existing resources, except where noted. Budget requests may be made in the future to continue the City's work toward community goals and to further implement the Lents Collaborative's priority strategies.

Community impacts and community involvement:

The risks of a 100-year flood on vulnerable community members and the economic development limitations on properties in the Special Flood Hazard Area (i.e. 100-year floodplain) have impacts on homeowners, renters, employees, and business owners who live and work within Johnson Creek's floodplain in the Lents and Powellhurst-Gilbert neighborhoods. Within these East Portland neighborhoods, approximately 388 acres are currently designated by FEMA as flood hazard areas, including 74 acres of industrial and employment land, 127 acres of publicly-owned natural areas, and 181 acres of residential land, with an estimated 686 residential structures.

A 2018 analysis from the Bureau of Planning and Sustainability found the neighborhoods that contain the floodplain are characterized as a "High Vulnerability – Low Opportunity" areas with a higher share of Communities of Color and rapidly increasing rents and home prices. Concerns over the impacts of rising flood insurance costs on the community were successfully addressed through the City's pilot Flood Insurance Savings Program, which

helped the homeowner participants, including 73 low-income homeowners, save an average \$650 each year and provided direct support to more than 30% of active FEMA flood insurance policyholders in the area. In addition, State Rep. Jeff Reardon and the City took early action and advocated to ensure insurance providers are well-educated about changes to the National Flood Insurance Program and better prepared to assist the more than 28,000 flood insurance consumers across the state.

In their analysis of the East Foster Commercial, Employment and Industrial Districts, Prosper Portland found that businesses in the floodplain area are generally well-adapted to area conditions and flooding and are currently thriving, offering important middle-wage jobs for East Portland and experiencing low vacancy and relatively high rents. Businesses operating in the area have considerable value, and economic rationale for redevelopment for much of the area is not strong. From a fiscal perspective, tax revenues associated with the redevelopment activity do not support a compelling case for intervention. Their analysis reaffirmed that the “Freeway Lands” property, much of which is out of the special hazard floodplain designation, continues to be the property with the most promising opportunities for private sector investment, redevelopment, and job growth (as economic conditions warrant).

The two-year Oregon Solutions public involvement process engaged hundreds of residents and business owners to share their knowledge and experiences, explain what they need to stay and be successful in the community, share their priorities and recommended actions and investments, and receive support and technical assistance to mitigate their flood insurance costs and flood risks while protecting the natural environment. Stakeholders were involved and provided feedback through the Powellhurst-Gilbert and Lents Neighborhood Associations, Lents Neighborhood Livability Association, and the East Portland Action Plan; through door-to-door canvassing of floodplain residents and interviews with industrial businesses; surveys, interviews, and invitations to floodplain specific events; tabling at community events; mailings and social media; and, amongst other opportunities, participation in Oregon Solutions Technical Advisory Committees and Project Team Meetings.

The Project Team Priorities outlined in the Oregon Solutions Declaration of Cooperation have broad support from the stakeholders involved in the process. Some stakeholders are eager to see progress and want to know how and when the priorities may be implemented. Hosting a Project Team reconvening and directing bureaus to report back to Council in 6 to 12 months on their progress will help ensure accountability. At this time, testimony is expected from the Co-Conveners, State Rep. Jeff Reardon and Michelle Rudd, land use attorney and Portland Planning and Sustainability Commissioner. Other members of the Project Team may also testify, as might community members.

100% Renewable Goal:

This action has no impact on the City’s total energy and renewable energy use.

Budgetary Impact Worksheet

Does this action change appropriations?

- ☐ **YES:** Please complete the information below.
☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount



July 7, 2016

KATE BROWN
Governor

The Honorable Charlie Hales
City of Portland, Office of the Mayor
1221 SW 4th Avenue, Room 340
Portland, OR 97204

The Honorable Jeff Reardon
Oregon House of Representatives
900 Court Street NE, H-473
Salem, OR 97301

Dear Mayor Hales and Representative Reardon:

I am pleased that you have requested the Lents Stabilization and Job Creation Collaborative be designated as an Oregon Solutions project. After reviewing the assessment conducted by Oregon Solutions staff, I believe this project supports Oregon's Sustainable Community Objectives. Therefore, I am designating Lents Stabilization as an Oregon Solutions project and selecting Representative Jeff Reardon and Portland Planning and Sustainability Commissioner Michelle Rudd, as co-conveners.

The co-conveners will lead the multi-agency and stakeholder process in developing strategies and projects to preserve existing housing, enhance industrial lands for job growth, and mitigate and enhance floodplains along Johnson Creek. Oregon Solutions is in a unique position to manage a process that will help under-served residents, owners of under-utilized industrial land, and owners of businesses impacted by the flood hazard designation. The project will be a multi-year effort to build a foundation for improving community stability, equity, natural resource restoration, and economic growth in the flood-prone areas of the Lents and Powellhurst-Gilbert neighborhoods.

This approach helps bring together partners in a neutral and collaborative way to address issues and opportunities, and is a positive opportunity to move forward together. By integrating and leveraging resources, it has the potential to insure success. Please keep my office updated on this effort and thank you for your work and enthusiasm thus far.

Sincerely,

Governor Kate Brown

cc: Michelle Rudd, co-convener
Michael Mills, Oregon Solutions

KB:lh



RESOLUTION No. **37227**

Accept the Governor's Letter of Designation of the Lents Stabilization and Job Creation Collaborative as an Oregon Solutions Project. (Resolution)

Whereas, for more than 75 years, considerable employment and residential development has occurred in Johnson Creek's 100-year floodplain, including about 330 acres within the Lents and Powellhurst-Gilbert neighborhoods that are located within FEMA-designated flood hazard areas; and

Whereas, the flood hazard designation imposes real and perceived impacts that undermine development and job creation, and significantly burden hundreds of residents with the rising costs of flood insurance; and

Whereas, seasonal flooding of Foster Road and neighboring industrial land impact the health of Johnson Creek, a regional fish-bearing tributary of the Willamette River that is subject to requirements of the Endangered Species Act to restore and protect Chinook Salmon, steelhead trout and other indigenous fish species; and

Whereas, the City of Portland has invested significant resources over the past 30 years to address the combined and interconnected issues of environmental health, economic development, housing, and flooding along the Foster-Lents corridor and surrounding neighborhoods; and

Whereas, City planning and investment has been informed by a robust engagement of impacted residents, business and industrial property owners, commercial and community organizations, other local and regional jurisdictions, and the local watershed council; and

Whereas, the Lents Stabilization and Job Creation Collaborative brings diverse stakeholders to address these issues and improve community conditions in a way that may serve as a model for similar initiatives in the metropolitan region and the state; and

Whereas, the Collaborative provides an excellent opportunity to build on more than 30 years of investigation, planning, action and performance monitoring to inform an evidence-based set of strategies to achieve economic, social, environmental and equity goals for the impacted and underserved community; and

Whereas, the City Council has declared its support for the Collaborative, by providing a special appropriation in the FY 2016-2017 adopted budget; and

Whereas, Kate Brown, Governor of the State of Oregon, has designated the Collaborative as an Oregon Solutions Project, in recognition of the substantial and unique contributions that the Project will make to the community, city, region and state, as set forth in the Governor's Designation Letter dated July 12, 2016; and

Whereas, Governor Brown has appointed State Rep. Jeff Reardon and Portland Planning and Sustainability Commissioner Michelle Rudd as the co-conveners, who will lead the multi-agency and stakeholder process in developing strategies and projects to preserve existing housing, enhance industrial lands for job growth; and, mitigate and enhance floodplains along Johnson Creek;

37227

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Portland, hereby, receives and accepts the Governor's Letter of Designation of the Lents Stabilization and Job Creation Collaborative as an Oregon Solution Project, as substantially described in the attached request submitted by State Representative Jeff Reardon and Mayor Charlie Hales on June 10, 2016.

Adopted by the Council: AUG 10 2016

Mayor Charlie Hales
Prepared by: Maggie Skenderian
Date Prepared: August 1, 2016

Mary Hull Caballero
Auditor of the City of Portland

By: *Eanya Jennings*

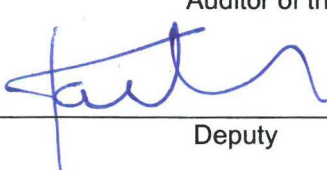
Deputy

Agenda No.
RESOLUTION NO.

37227

Title

Accept the Governor's Letter of Designation of the Lents Stabilization and Job Creation Collaborative as an Oregon Solutions Project. (Resolution)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Hales</p>	<p>CLERK USE: DATE FILED <u>AUG 02 2016</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration—Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau:</p> <p>Bureau Head:</p>	<p>ACTION TAKEN:</p> <p>AUG 10 2016 <u>RESCHEDULED TO AUG 10 2016 2 P.M</u></p>
<p>Prepared by: Maggie Skenderian Date Prepared: August 2, 2016</p>	
<p>Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document</p> <p>If "Yes" requires City Policy paragraph stated in document.</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan</p>	
<p>Council Meeting Date</p> <p>August 10, 2016</p>	

<p style="text-align: center;">AGENDA</p> <p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> <p>CONSENT <input type="checkbox"/></p> <p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 15 minutes (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 33%;">FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th style="width: 33%;">YEAS</th> <th style="width: 33%;">NAYS</th> </tr> <tr> <td>1. Fritz</td> <td>1. Fritz <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>2. Fish</td> <td>2. Fish <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td>3. Saltzman <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>4. Novick</td> <td>4. Novick <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>Hales</td> <td>Hales <input checked="" type="checkbox"/></td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Fritz	1. Fritz <input checked="" type="checkbox"/>		2. Fish	2. Fish <input checked="" type="checkbox"/>		3. Saltzman	3. Saltzman <input checked="" type="checkbox"/>		4. Novick	4. Novick <input checked="" type="checkbox"/>		Hales	Hales <input checked="" type="checkbox"/>	
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ORDINANCE No. 188182

*Authorize an Intergovernmental Agreement with Portland State University through Oregon Solutions, a unit in the Hatfield School of Government at Portland State University in an amount not to exceed \$310,000 for process facilitation of the Lents Stabilization and Job Creation Collaborative (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Lents Stabilization and Job Creation Collaborative brings diverse stakeholders together to address the Johnson Creek 100-year floodplain's FEMA-designated flood hazard areas and Endangered Species Act impacts within the Lents and Powellhurst-Gilbert neighborhoods.
2. Kate Brown, Governor of the State of Oregon, has designated the Lents Stabilization and Job Creation Collaborative as an Oregon Solutions Project.
3. Governor Brown appointed State Rep. Jeff Reardon and Portland Planning and Sustainability Commissioner Michelle Rudd as the co-conveners, who will lead the multi-agency and stakeholder process in developing strategies and projects to preserve existing housing, enhance industrial lands for job growth, and mitigate and enhance floodplains along Johnson Creek.
4. Portland State University (PSU) will facilitate the project through Oregon Solutions, a unit within the PSU Hatfield School of Government.
5. City of Portland adopted Resolution 37227 on August 10, 2016, in support of the Lents Stabilization and Job Creation Collaborative.
6. The FY2016-17 budget includes one-time funding in the General Fund Special Appropriations for this agreement. The City now desires to enter into an intergovernmental agreement with PSU and Oregon Solutions in an amount not to exceed \$310,000.
7. The City's Comprehensive Financial Management Policies, FIN 2.04-Budget, states that grants should be issued after a competitive application process, unless Council waives the policy in the grant ordinance. Since PSU-Oregon Solutions is the only organization providing this service, a competitive application process was not implemented for this grant.

NOW THEREFORE, The Council directs:

- a. The Mayor is hereby authorized to enter into an agreement, as outlined in a form substantially in accordance with the agreement attached as Exhibit A, at a cost not to exceed \$310,000.

- b. The City Council waives the competitive application process required in FIN 2.04-Budget.
- c. The Mayor and Auditor are hereby authorized to draw and deliver payment chargeable to the Fiscal Year 2016-17 Budget.


Section 2. The Council declares that an emergency exists because a delay in funding would delay PSU-Oregon Solutions' ability to reach their 2016-17 strategic goals for process facilitation of the Lents Stabilization and Job Creation Collaborative; therefore this ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: JAN 04 2017

Commissioner Ted Wheeler
Prepared by: Eileen Roe
Date Prepared: December 15, 2016

Mary Hull Caballero
Auditor of the City of Portland

By


Deputy

Agenda No.
ORDINANCE NO.
 Title

188182

*Authorize an intergovernmental agreement with Portland State University through Oregon Solutions, a unit in the Hatfield School of Government at Portland State University in an amount not to exceed \$310,000 for process facilitation of the Lents Stabilization and Job Creation Collaborative (Ordinance)

<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler</p> <hr/> <p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration – Wheeler <i>[Signature]</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety – Eudaly</p> <hr/> <p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: OMF OMF CAO: Fred Miller <i>[Signature]</i> Bureau Head: Ken Rust <i>[Signature]</i></p> <p>Prepared by: Eileen Roe Date Prepared: December 15, 2016</p> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i></p> <p>Council Meeting Date 1/4/2017</p>	<p>CLERK USE: DATE FILED <u>DEC 27 2016</u></p> <p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:</p>
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Lents Stabilization and Job Creation Collaborative Project Partners

DESIGNATED AN OREGON SOLUTIONS PROJECT BY:

Governor Kate Brown

OREGON SOLUTIONS CO-CONVENERS:

Representative Jeff Reardon, Oregon Legislative District 48

Commissioner Michelle Rudd, Land Use Attorney and Portland Planning and Sustainability Commission

PARTNERS:

City of Portland

Portland Bureau of Environmental Service
Portland Bureau of Housing
Prosper Portland
Portland Office of Management & Finance
Portland Bureau of Development Services
Portland Bureau of Emergency Management
Portland Office of Government Relations
Portland Bureau of Parks & Recreation
Portland Bureau of Planning & Sustainability
Portland Bureau of Transportation

Regional and Federal Agencies

Metro Regional Government
Federal Emergency Management Agency (FEMA)
U.S. Army Corps of Engineers

Educational Institutions

Portland State University
Reed College, Economics Department
Wharton School of Risk Management, University of Pennsylvania

State of Oregon

Oregon Department of Environmental Quality
Oregon Department of Fish and Wildlife
Oregon Department of Housing and Community Services
Oregon Department of Land Conservation and Development
Oregon Department of State Lands
Oregon Department of Transportation
Oregon Office of Emergency Management
Regional Solutions Center | Portland Metro

Community-based Organizations and Property Interests

Friends of Zenger Farm
Green Lents
Johnson Creek Watershed Council
Lents Neighborhood Association
Lents Neighborhood Livability Association
Powellhurst-Gilbert Neighborhood Association
Freeway Lands/Jameson Partners