



CITY OF
PORTLAND, OREGON

**OFFICIAL
 MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **26TH DAY OF APRIL, 2017** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Fish, Fritz and Saltzman, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Lory Kraut, Deputy City Attorney; Ben Walters, Chief Deputy City Attorney at 10:36 a.m.; Linly Rees, Senior Deputy City Attorney at 11:43 a.m.; and Elia Saolele and Roger Hediger, Sergeants at Arms.

Item Nos. 398, 399, 401-407, 410, 412, 413 were pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
392	Request of Lightning SuperWatchdog PDX to address Council regarding administrative exclusions (Communication)	PLACED ON FILE
393	Request of Ronald N. Swaren to address Council regarding I-5 Bridge replacement proposal from Washington Legislature (Communication)	PLACED ON FILE
394	Request of Injured to address Council regarding Polish logic part 2 (Communication)	PLACED ON FILE
395	Request of Bryan Hance to address Council regarding Bike Theft Task Force efforts (Communication)	PLACED ON FILE
396	Request of Bill Dant to address Council regarding funding year round Park Host and Park Rangers in Holladay Park (Communication)	PLACED ON FILE
TIMES CERTAIN		
TIME CERTAIN: 9:45 AM RESCHEDULED TO 2:00 PM – Adopt the FY 2016-17 Spring supplemental budget and make other budget-related changes (Ordinance introduced by Mayor Wheeler)		

April 26-27, 2017

397	<p>TIME CERTAIN: 10:00 AM – Accept the Quarterly Technology Oversight Committee Report from the Chief Administrative Officer (Report introduced by Mayor Wheeler) 30 minutes requested Motion to accept report: Moved by Fish and seconded by Saltzman. (Y-4; Eudaly absent)</p>	ACCEPTED
CONSENT AGENDA – NO DISCUSSION		
Mayor Ted Wheeler		
Office of Management and Finance		
*398	<p>Pay claim of Espresso Machine Experts, in the sum of \$82,864 involving the Portland Bureau of Transportation (Ordinance) (Y-4)</p>	188336
*399	<p>Pay claim of Jeff Wong in the sum of \$21,790 involving the Portland Police Bureau (Ordinance) (Y-4)</p>	188337
400	<p>Extend the City 2013-2017 Equal Employment Opportunity Affirmative Action Plan for six additional months to December 31, 2017 (Second Reading Agenda 378) (Y-4)</p>	188332
Portland Housing Bureau		
*401	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program for Block 290/KOTI Apartments located at 1417 NW 20th Ave (Ordinance) (Y-4)</p>	188339
*402	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program for Pettygrove Apartments located at 2216 NW Pettygrove St (Ordinance) (Y-4)</p>	188340
*403	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program for SW Park + Columbia Apartments located at SW Park Ave and SW Columbia St (Ordinance) (Y-4)</p>	188341
*404	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program for 3rd & Ash located at 108 SW 3rd Ave (Ordinance) (Y-4)</p>	188342
*405	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program for Atomic Orchard Lofts located at 2510 NE Sandy Blvd (Ordinance) (Y-4)</p>	188343
*406	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program for Block 33 located at 125 NW 4th Ave (Ordinance) (Y-4)</p>	188344
*407	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program for Woody Guthrie Place Apartments located at 5728 SE 91st Ave (Ordinance) (Y-4)</p>	188345

April 26-27, 2017

Commissioner Nick Fish

Bureau of Environmental Services

***408** Authorize the Bureau of Environmental Services to reimburse property owner at 7326 N Williams Ave for sewer user fees paid to the City in the amount of \$5,768 (Ordinance)
(Y-4)

188333

Commissioner Dan Saltzman

409 Approve allocation of \$10,000 annually of Portland Children's Levy revenues to fund event sponsorship through June 2019 (Second Reading Agenda 379)
(Y-4)

188334

Bureau of Transportation

***410** Amend contract with e-Builder, Inc. to extend the term and increase the value of the contract by \$988,233 for a not-to-exceed total of \$1,724,162 for project management software (Ordinance; amend Contract No. 30004084)

**REFERRED TO
COMMISSIONER OF
PUBLIC AFFAIRS**

***411** Authorize an agreement with Union Pacific Railroad for preliminary engineering and other related services up to the amount of \$25,000 for construction of a grade separated crossing of North Rivergate Boulevard over the Union Pacific Railroad (Ordinance)
(Y-4)

188335

412 Authorize a competitive solicitation for Security Services for the SmartPark Garages and the Portland Streetcar Facility at an estimated amount of \$4,000,000 for five years (Ordinance)

**REFERRED TO
COMMISSIONER OF
PUBLIC AFFAIRS**

Commissioner Chloe Eudaly

***413** Authorize grant agreement of \$50,000 with the Kenton Action Plan, dba North Portland Community Works, to provide liability insurance coverage for neighborhood association and community activities in North Portland (Ordinance)
Motion to amend contract section 3A to reflect annual amount of \$10,000 up to a total of \$50,000 over five years: Moved by Fish and seconded by Fritz.
(Y-4)

188338
AS AMENDED

REGULAR AGENDA

414 Replace the Multiple-Unit Limited Tax Exemption Program foregone revenue annual cap with a rolling 5-year cap (Ordinance introduced by Mayor Wheeler and Commissioner Saltzman)
10 minutes requested

**PASSED TO
SECOND READING
MAY 3, 2017
AT 9:30 AM**

<p>Mayor Ted Wheeler</p> <p>Bureau of Police</p>		
<p>*415</p>	<p>Accept and appropriate an additional \$30,000 from the Oregon Department of Transportation Traffic Safety Division FY 2017 Speed Enforcement Grant program for sworn personnel overtime reimbursement (Ordinance)</p> <p>(Y-4)</p>	<p>188346</p>
<p>*416</p>	<p>Authorize Chief of Police to sign lease agreements of real property for Police Bureau Criminal Investigation needs (Previous Agenda 381)</p> <p>(Y-4)</p>	<p>188347 AS AMENDED</p>
<p>Office of Management and Finance</p>		
<p>*417</p>	<p>Authorize a contract with N. Harris Computer Corporation for maintenance services for support of the Bureau of Environmental Services, Portland Water Bureau and Portland Bureau of Transportation Customer Information System, for a five-year total not to exceed \$1,800,000 (Ordinance)</p> <p>(Y-4)</p>	<p>188350</p>
<p>*418</p>	<p>Authorize an on-call contract with N. Harris Computer Corporation for updates in reports and other customizations as required to the Bureau of Environmental Services, Portland Water Bureau and Portland Bureau of Transportation Customer Information System, for a five-year total not to exceed \$700,000 (Ordinance)</p> <p>(Y-4)</p>	<p>188351</p>
<p>419</p>	<p>Grant a franchise to McLeodUSA Telecommunications Services, LLC for telecommunications services and facilities within the City's streets for a period of 15 years (Second Reading 272)</p> <p>(Y-3; Wheeler absent)</p>	<p>188348</p>
<p>420</p>	<p>Change the salary grade for the Nonrepresented classification of Neighborhood Involvement and Programs Director (Second Reading Agenda 382)</p> <p>(Y-4)</p>	<p>188349</p>
<p>Commissioner Nick Fish</p> <p>Bureau of Environmental Services</p>		
<p>421</p>	<p>Accept the report on status of the Columbia Wastewater Treatment Plant Lagoon Reconstruction Phase 3&4 Project No. E07146 from the Chief Engineer (Report) 15 minutes requested</p>	<p>CONTINUED TO MAY 3, 2017 AT 9:30 AM</p>
<p>*422</p>	<p>Authorize a contract with ICF Jones & Stokes, Inc. in the amount of \$240,000 to provide for the use of proprietary habitat model for the City's Salmon Safe Certification (Ordinance) 15 minutes requested</p> <p>Continued to April 26, 2017 2:00 PM</p> <p>Motion to add emergency clause: Moved by Fish and seconded by Fritz.</p> <p>(Y-5)</p>	<p>188352 AS AMENDED</p>

<p style="text-align: center;">City Auditor Mary Hull Caballero</p> <p>423 Appeal of residents of the 937 Condominiums against the noise variance granted to Bremik Construction to conduct six day-long concrete pours with early morning set up for the hotel construction project located at 485 NW 9th Ave (Previous Agenda 390)</p> <p>Motion to adopt the variance with four conditions as stated in the Noise Control Officer memo on April 25, 2017: Moved by Fish and seconded by Fritz. (Y-3; Saltzman absent)</p>	<p style="text-align: center;">ADOPT VARIANCE WITH AMENDED CONDITIONS</p>
--	--

At 12:21 p.m., Council recessed.

April 26-27, 2017

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **26TH DAY OF APRIL, 2017** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish, Fritz and Saltzman, 5. Commissioner Eudaly teleconferenced. Commissioner Saltzman left at 3:00 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Heidi Brown, Deputy City Attorney; and John Paolazzi and Elia Saolele, Sergeants at Arms.

		Disposition:
*424	TIME CERTAIN: 2:00 PM – Adopt the FY 2016-17 Spring supplemental budget and make other budget-related changes (Ordinance introduced by Mayor Wheeler; add Code Section 5.04.550) 1 hour requested Motions attached. (Y-5)	188353 AS AMENDED
425	TIME CERTAIN: 3:00 PM – Accept the Design Overlay Zone Assessment Final Report dated April 2017 (Report introduced by Mayor Wheeler and Commissioner Eudaly) 2 hours requested Motion to accept report: Moved by Saltzman and seconded by Fritz. (Y-4; Fish absent)	ACCEPTED

At 5:00 p.m., Council recessed.

April 26-27, 2017

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 27TH DAY OF APRIL, 2017 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish, Fritz and Saltzman, 5. Commissioner Saltzman left at 3:17 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Chief Deputy City Attorney and Roger Hediger and Jim Wood, Sergeants at Arms.

		Disposition:
426	TIME CERTAIN: 2:00 PM – The Intertwine Alliance Summit (Presentation introduced by Commissioner Fish) 15 minutes requested	PLACED ON FILE
427	TIME CERTAIN: 2:15 PM – Accept the City of Portland and Multnomah County Climate Action Plan 2017 Progress Report (Report introduced by Mayor Wheeler) 1.5 hours requested for items 427-428 Motion to accept report: Moved by Fritz and seconded by Fish. (Y-4; Saltzman absent)	ACCEPTED
428	Establish goal to transition Portland to 100% renewable energy by 2050 (Resolution introduced by Mayor Wheeler and Commissioner Eudaly)	REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION
EXECUTIVE ORDER		
428-1	Reassign all City departments and bureaus to the Commissioner of Finance and Administration as of 10:30 a.m. April 27, 2017 (Ordinance; Executive Order)	188354

At 3:41 p.m., Council adjourned.

MARY HULL CABALLERO
Auditor of the City of Portland



By **Karla Moore-Love**
Clerk of the Council

Amendments to item 423 are on the next page. They are followed by the Closed Caption File discussion of agenda items.

April 26-27, 2017

Amendments to the FY 2016-17 Spring Supplemental Budget

188353

April 26, 2017

Item 424 - Adopt the FY 2016-17 Spring supplemental budget and make other budget-related changes (Ordinance introduced by Mayor Wheeler)

- 1. Reduce bureau program expenses and corresponding interagency revenues in the Office of Management and Finance, Fleet division by \$1,098,885 related to fuel station infrastructure debt service. Debt for the fuel stations will not be issued this year and as such the funding is not needed. Balance the associated changes in interagency agreements by depositing funds in the appropriate bureau fund contingency, and set aside the General Fund contribution of \$525,927 in program carryover contingency for allocation in the FY 2017-18 proposed budget. Update Exhibits 1-5 as needed to reflect this change:** Moved by Wheeler and seconded by Fritz. (Y-4; Saltzman absent)
- 2. Reduce bureau program expenses in the Office of Management and Finance, Facilities division (General Fund) by \$964,188 related to a true-up of General Fund Portland Building reconstruction project debt service, and set aside the funds in program carryover contingency for allocation in the FY 2017-18 proposed budget. Update Exhibits 1-5 as needed to reflect this change:** Moved by Wheeler and seconded by Fritz. (Y-4 Saltzman absent)
- 3. Transfer \$587,877 in General Fund compensation set-aside to policy set-aside for re-budgeting in the FY 2017-18 budget. Update Exhibits 1-5 as needed to reflect this change:** Moved by Wheeler and seconded by Fritz. (Y-4 Saltzman absent)
- 4. Reduce bureau program expenses in the Portland Housing Bureau (General Fund) by \$487,500 for the East Portland Rental Rehabilitation program and set aside funds for program carryover and allocation in the FY 2017-18 budget. The bureau is in the process of acquiring approval for program design and rules, but is not expected to allocate rehabilitation grants to landlords before the close of the fiscal year. Funding will be allocated for Rental Rehabilitation grants in the subsequent years' budget. Update Exhibits 1-5 as needed to reflect this change:** Moved by Wheeler and seconded by Fritz. (Y-4 Saltzman absent)
- 5. Increase bureau program expenses in Special Appropriations by \$40,000 to fund program design and startup expenses for Portland United Against Hate (PUAH). Funding is provided from a draw on General Fund unrestricted contingency. Update Exhibits 1-5 as needed to reflect this change:** Moved by Wheeler and seconded by Fritz. (Y-4 Saltzman absent)

PUAH is a community-initiated partnership of Community Based Organizations, Neighborhood Associations, concerned communities and the City. PUAH's program goal is to build a rapid response system that combines reporting and tracking of hateful acts with providing support and protection for our communities.
- 6. Increase bureau expenses in Portland Parks and Recreation (Fund 402) by \$300,000 to address immediate facilities and equipment needs related to health, safety, and environmental issues. Funding is provided via a cash transfer from General Fund unrestricted contingency. Work to be completed with these funds is aimed at preventing health risk for more than 3,500 peak summer employees and millions of visitors each year. Update Exhibits 1-5 as needed to reflect this change:** Moved by Fritz and seconded by Fish. (Y-4; Saltzman absent)
- 7. Reduce bureau program expenses in Portland Parks and Recreation (General Fund) by \$40,000 for master planning for an East Portland park, and set aside funds for program**

April 26-27, 2017

carryover and allocation in the FY 2017-18 budget. Funding for several East Portland parks master plans was originally allocated in the Fall FY 2014-15 supplemental budget and due to the efficient use of resources, the bureau is able to complete planning for an additional park within originally allocated resources. Update Exhibits 1-5 as needed to reflect this change: Moved by Fritz and seconded by Fish. (Y-4; Saltzman absent)

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

Key: *** means unidentified speaker.**

APRIL 26, 2017 9:30 AM

[Several seconds of remarks audio not available.]

Fish: ...canceled due to some threats that were made and concerns the organizers had about their ability to maintain the peace. I'm talking about the 82nd avenue of roses parade which was scheduled for this Saturday. The gist of the dispute was some anonymous threats made by groups that were anti-fascist groups targeted to some of the folks who signed up to march in the parade and focused on a contingent from the Multnomah county republican party. The conflict escalated and ultimately the organizers determined that they were unlikely to be able to run the parade safely. And so with great regret, they cancelled the parade. Well, I had a chance to talk to the mayor yesterday afternoon. As you might imagine, he was deeply disappointed with that news. And personally outraged. The thing that struck the mayor the most was this is a celebration of east Portland. This is a parade families look forward to every year. And it seems wrong they would be casualties in a political fight between adults that need to grow up. So the mayor is exploring options for putting the parade back on track. He's not prepared to make any announcement and we don't want to give anyone false hope. But mayor I want to applaud the fact that you stepped in to see if the parade could be run and conducted safely. Since this parade is affiliated with venture Portland which represents our business districts and the rose festival, Jeff Curtis contacted me this morning, mayor. They have extended an invitation to the parade organizers to march in the starlight parade. They ask them to march with their banner and with the city contingent. So they will be honored, if there is no way to put the parade back on track. And let me make a personal comment. I understand that people have strong views now, politically. And I understand there's a lot of issues swirling in our community. We have got to find a way to have those conversations in a respectful and loving context. Thank you for your efforts to try to put it on track. There's a larger lesson here how we conduct ourselves. And I hope this becomes the exception and not the rule.

Wheeler: Good morning. This is the regular meeting of the Portland city council Wednesday April 26th. Please call the roll.

Fish: Here **Saltzman:** Here **Eudaly:** **Fritz:** Here **Wheeler:** Here

Wheeler: And commissioner Eudaly is excused. She may try and call in later. For those of you who may be waiting for the spring bump, the supplemental budget, that has been moved to this afternoon. So if you are here for that, we have moved that to 2 p.m. This afternoon, same place. The statement on conduct, the purpose of council meetings is to do the city's business including hearing from the community on issues of concern. In order for us to hear from everyone and give due consideration on matters before the council, we must all endeavor to preserve the order and decorum of these meetings. To make sure the process is clear for everyone, I want to review the basic guidelines which I hope will help everybody feel comfortable, welcome and respected and ensure the meeting decorum is maintained. There are two opportunities for public participation. First, we have an opportunity for people to sign up for communications to speak briefly about any subject they wish to address. These items are scheduled in advance with the clerk's office. Second, people may sign up for public testimony on first readings of reports, resolutions

April 26-27, 2017

and ordinances. If you sign up, your testimony must address the matter being considered before the council at that time. Please state your name for the record. We do not need your address. If you are a lobbyist, please disclose that. If you are here representing an organization, please identify the organization. Individuals have three minutes to testify, unless otherwise stated. And just a brief warning, we have a very long agenda today. So it is very likely the testimony will be shortened at some point so we can get it done. When you have 30 seconds left, the yellow light is going to light up. When your time is done, the red light comes on. Conduct that disrupts the meeting, for example shouting or interrupting other people's testimony or interrupting during council deliberations is not allowed. People who disrupt the meeting face ejection from the meeting. If there's a disruption, I'll issue a warning that if any further disruption occurs, anyone who is disrupting the meeting will be subject to ejection. Anyone who fails to leave the meeting after being ejected is subject to arrest for trespass. If you'd like to show your support for something being said, please do a thumbs up. If you'd like to say you don't like it, thumbs down is sufficient. Thank you. Let's get started with council communications.

Item 392.

Lightning: My name is lightning. I represent lightning super watchdog. Again on that exclusion policy it's my understanding after 30 days you would have a validation hearing and come back and, in my opinion, remove the clause you had in there to exclude up to 30 days, 60 days, even up to a year. It has been determined it is unconstitutional by a reputable judge, judge Michael Simon. Based upon his analysis of numerous cases in a statement that he made if he was to go in the direction that you are proposing, he'd be the first judge to do so without any cases that would substantiate that. Again, if you proceed forward with that, it will be considered unconstitutional. You were sworn in as a mayor to uphold the constitution. And at that point, as you know, that will create problems. We're talking on the autonomous vehicles again. One of the things I find interesting about elon musk is he looks at the situations but projects out even farther. Where he's talking about multi planets, solar, just about space. But he's talking about autonomous vehicles and he's projecting out also having an understanding that you also have to look at how many jobs mass unemployment you will create by going in that direction. So there has to be a solution created before you actually implement the autonomous vehicles. With the mass unemployment, that there should be a universal income created for the people that will be unemployed by that time. The corporations have to take that into consideration that you cannot create enough jobs when you create mass employment at the degree that autonomous vehicles will create through the world. You have to create an income for them when they lose their employment. That's number one. Number two, he's looking at ai research creating robots to replace you. He also understands he needs to protect human species meaning they need to adapt to the robots and be just as smart so they are not replaced too. In my opinion, you all can be replaced. That may seem like a moon shot idea in the words of google and tesla and where they are going. But crazy as it might sound, autonomous vehicles, smart phones in your hand, internet, that's what they were calling them many years before. So think about it. If you get replaced, you are going to save us a lot of money. Ai is coming. Let's hope you don't get replaced. We'll set you on a universal income plan also.

Wheeler: Thank you. Appreciate it. And just for the record, I agree with you on the constitutional issue. And for that reason, we are not enforcing it until the constitutionality is clarified. We will not use it until judge Simon has an opportunity to take a look at that.

Lightning: If I might respond real fast. As you know, judge Simon already done a ruling. If he comes back on your side and takes your position, he will lose all credit worthiness as a legitimate judge that analyzes very close and looked at all the cases and would side with

April 26-27, 2017

you at this time. As far as I'm concerned, his reputation will be damaged and tarnished. He will never do that. He will never do that as a legitimate judge who knows what he's doing. So, again, going out 30 days is a waste of time. Should have never went out that far. You have the right to do the 24-hour disruption exclusion. That's all you are going to get.

Wheeler: If that's all we get, that's fine. That's all we've got. Just to be very clear, his ruling also had other admonishments in it about the lack of specificity in current city code which we think we've addressed through that ordinance. But it may well be the case he'll come back and say no. Still doesn't meet the threshold.

Lightning: Your city code cannot override the constitution and judge Simon has done a ruling on that.

Wheeler: We cannot override the constitution.

Lightning: He's not a legitimate judge. He will not make that change. I can assure you.

Wheeler: Thank you. Next item please.

Item 393.

Wheeler: Good morning.

Ronald Swaren: Good morning. A comment on the Washington legislature's bill to examine and replace the i-5 bridge. What they are doing is trying to keep the crc alive to avoid the repayment that would be required. I hope they will examine other alternatives, other interstate crossings. One thing I'd like to say is if that bridge was replaced and we had no additional crossings, that would impact north Portland. Traffic is growing around here. And there's a solution that I'll bring up later for what can really help north Portland. My appreciation mayor Wheeler for supporting electric power I used to write some articles on double decker buses. As far as electric propulsion from the hydro authority. And there's tm 4. And they've developed an electric motor they refit on to trucks and buses. Electric power is promising. They've redesigned the motor with added torque. They are looking at other electrical generation. And ford is developing new battery technology and Hyundai, same as solid state batteries. I'm not up on what solid state batteries are. There's a lot of technology. Green card congress has lots of articles. But basically, I believe we need additional interstate crossings in our area. I handed out this summary from the Washington county transportation future study on the second page. On the right hand column, they refer to northern connector. Which is not a big express way. It would be from u.s. 26 along Cornelius pass and connecting eventually into Columbia Boulevard. Now in the study they say that, that can be a high capacity transit corridor, so I think there could be a lot of benefit to that. What I'd say now is we have a severe commuting problem between Vancouver and Tillicum forest so this route would be much shorter and it would save a lot of people time. I think it would be well used, it would be safe because there'd be some stoplights on it so I don't think the speeds will be excessive. I included in there some photos of network tight bridges if we ever have bridges over the Columbia. These are cost effective. They can span long distances. They could have electrical power generation in them. So as far as North Portland I think there would be ways of carving i-5. Construction materials are advancing quickly.

We'll have light weight and easy to work with materials. In the future, maybe 10 years, that would be a good possibility to restore those neighborhoods.

Wheeler: Thank you, sir. Appreciate it. Next item.

Item 394.

Injured and Pissed Off: Good morning. My name is Injured and pissed off. I had my name changed to that legally. And the subject is reverse polish logic. Willamette week in August 9th, 2006, wrote a full page article in the newspaper starting with the title uninvited guest. And it went derogatory from there to say the least. That was after I moved into the housing authority of Portland building in Hamilton west 1212 southwest clay apartment 217

April 26-27, 2017

that I live at still. And that was in December 3rd of 2004. The article never mentioned it. My service animal had been attacked four times at that time. And if you remember, Ted Wheeler, you wrote an article after informing you of the state laws that there was five dog attacks at that time of my service animal. And after the sixth time, I had a valid restraining order and the district attorney's office dismissed the case that morning and said that she really didn't mean it. And after 7 dog attacks, I broke my left hip and fractured two of my vertebrae and my spinal cord. And that's the reason why I'm using the walker, barely able to walk. But justice is felt with one eye. And so far, it's been just myself battling city hall. As you've heard the old saying you can't fight city hall. Well, city hall actually owns what it's been changed to home forward. And they allowed this and the court did too. And I've been trying to get representation because even the Catholic church with what they got away with, with 40 to 60 years with the civil conspiracy. They were able to go across the whole nation and evade all the rules of pedophilia. They only had to pay \$2 billion for that. With owning 60,000 hospitals worldwide, you can imagine the cost or the money they get per day. \$2 billion wouldn't be anything. But I got attacked 7 times and injured and the city of Portland has been able to get away with this. And it's a shame. And I've talked to other people with service animals and guide dogs and they get attacked. And none of them 7 times by the same dog. Thank you.

Wheeler: Thank you, sir. Next item, please.

Item 395.

Wheeler: Good morning.

Bryan Hance: Hi. My name is Bryan Hance. Here to talk about bike theft I will be brief. I'm the co-founder of bikeindex.org a non-profit bike registration and recovery service. We let people list their bikes on our service to free as a general theft prevention measure. Here in Portland, we work with over 20 bike shops. The Portland police bureau's bike theft task force. We also work with similar entities in Washington, California and across the nation. Last year, we held many public events in conjunction with the task force and I'm here to share quick notes on our efforts. In short the lowest hanging fruit when it comes to fighting bike theft in Portland is having a really simple free resource that bike shops and law enforcement can use to quickly determine a bike's right full owner. It's a pretty big economic impact. In 2014, Oregon Live reported over 2,000 bikes had been stolen. Their best estimate is roughly over a million dollars. The bike index clocked over 1200 bikes and recovered just under 200 of those so it's an uphill battle. It's not about the dollar amounts. Bike thefts are tied to burglaries, property crime, drugs. Statistics show bike thefts is one of the big reasons people stop biking. After the third or fourth bike gets stolen, they get sick of it and get right back in their cars. That's what we're trying to avoid here in Portland. The black market for stolen bikes does economic damage to our local shops. It's impossible for bike shops to compete with these who can make 100% profit they can sell online and anonymously. It's direct competition and the estimates are wildly enormous. We know that there are direct positive results when we get people here in Portland to register the bikes with the task force. The more you register, the more you recover. Indexing your bike is like vaccinating it against theft. Once it's done, it's harder to sell, harder to fence easier to identify and it takes 60 seconds. But much like vaccinations, only works if you get a critical level of bikes in the system. So we work hard to get people to participate here in Portland. So this year, again, we'll be doing the same thing at Sunday parkway signing people up. I would ask everyone please come by and say hello. You can do this right here tomorrow. If any of you ride or your staff ride, the Portland bike theft task officers will be outside 10-2:00. It takes 60 seconds. We would love if you spread the word and come by and list your bike. It's the easiest thing you can do to protect that asset. Take five minutes. It would be great. We would love to protect more bikes. If you'd like to know more about our efforts,

April 26-27, 2017

swing by and we'd love to talk to you.

Fish: I have a quick question. Couple years ago I had my bike stolen. And the police indicated to me that there was a chance it would be in a chop shop and the parts would be sold off. So does registration still work when a thief --

Hance: What will happen is the person takes it home is it finds out it's been reported stolen. It's a daily occurrence with us it happens constantly with ebay and all these local sales apps and craigslist transactions. It's a daily occurrence with us.

Fish: And the second question, sir, is what I learned after my bike was stolen when I went to a bike shop is they said I need to upgrade my lock. So that's a two prong approach. So what advice do you have about consumers for the level of lock?

Hance: The theft task force have a great program. If you came by with a sub-par lock, they would give you a free hardened ulock. I'm waiting to see if that's going to happen this year. The general advice is the biggest baddest most expensive lock you can find. I like to use the term weapon's grade. Buy a lock that looks scary. Having said that, the closest distance between two points is a thief and a desire. So I say buy two. As silly as it sounds. Buy two.

Fritz: I have a question also when you register they can insert a microchip so what kind of process is there for the registration?

Hance: Right now, basically we only rely on the serial number stamped in the steel. We can't chip bikes like we chip cats.

Fritz: They have a serial number like a car has a vin number.

Hance: They do. One of the main things is educate riders on you flip your bike upside down how to find it how to locate it.

Fritz: And every bike has one?

Hance: Correct. And that's what they do at the sign-up events. They'll do the work for you. Thank you very much.

Wheeler: Thank you. We appreciate that. That was bikeindex.org. Thank you. Next item. **Item 396.**

Wheeler: Good morning.

Bill Dant: Thank you, commissioners, my name is bill Dant. I've been a member of the volunteer group connected for the last five years. Connected was formed six years ago today following the shooting death and innocent bystander in Holladay park his name was shilo hampton. He was 14 years old and he attended Madison high school. Members of connected meet every Friday afternoon to walk Holladay park for a few hours. The first two years of connected violent crimes in the park dropped significantly. Families actually began to bring their kids back to the park and have picnics. Previous to that drug dealing and human trafficking was blatant and rampant. Which brings us to two weeks ago when 17-year-old Sean Scott was shot and killed in Holladay park in an apparent botched robbery attempt. Charged with a crime is an 18-year-old male. Despite all the progress made in Holladay park it is a real punch in the gut to those of us who have been involved in making it a safe and welcoming place. The gains made over the past six years is very fragile progress truly does come in like a tortoise and leave like a hair. Street level gang outreach workers still say the park is a routine trouble spot and connected we cannot be there every day. That is why I'm addressing you. During the past two summers, the parks and recreation bureau provided park rangers in the park. I'm asking you as a member of connected and also a life-long member of the city to find the courage and means necessary to make the park rangers year round. They offer positive activities for kids. They give the park more sets of eyes and ears and people behave better when they are there. I've seen this myself. The owners of the adjacent mall are already partnering with the city to improve security at the park as well. Considering the park as their front door to the Lloyd

April 26-27, 2017

center. The mall owners are the perfect example of a public/private partnership. There are other neighbors of note that can and should be called in to help. For example, senator wyden and U.S representative Earl Blumenauer both have offices kitty corner from Holladay park. And the Bonneville power administration is in the building next door to them. To borrow another cliché many hands, make light work, parts in much of Holladay park has let us slip back into drugs, human trafficking and murder. Everyone has a right to feel free to use our parks without fear. It's a quality of life issue for the hundreds of thousands of people who travel through and use the park every year. It's been said Holladay park is the eastside equivalent of pioneer square. Please help make that a reality. Thank you.

Wheeler: Thank you.

Fritz: Am I correct in remembering you don't actually live around the park?

Dant: What's that?

Fritz: Do you live close to the park?

Dant: No, I live in west Portland park near pcc sylvania.

Fritz: Thank you for caring about something that's not in your backyard but is all of our backyard.

Dent: Portland is all of us.

Wheeler: Thank you for your volunteerism.

Dant: Thank you, sir.

Wheeler: So just to reiterate for those who didn't hear the initial message. The spring bump has been moved to this afternoon. So if anyone is here for the supplemental budget that has been moved. Why don't we -- do we have any items that have been pulled from the consent agenda?

Moore-Love: Yes. We have 398 and 399. 410 and 412. 401 through 407 and 413.

Wheeler: My. Okay.

Moore-Love: We have 400, 408 and 409 and 411 on remaining on consent.

Wheeler: Please call the roll on the remaining consent what little there is.

Fish: Aye **Saltzman:** Aye **Fritz:** Aye **Wheeler:** Aye

Wheeler: The consent agenda is adopted. Let's go back to time certain 10:00 and working our way after that.

Item 397.

Wheeler: Good morning.

Jen Clodius, Office of Management and Finance: Good morning. I'm Jen Clodius. Senior management analyst with the office of management and finance and staff support for the technology oversight committee. With me today are Jeff baer, director of the bureau of technology services and Diana Garcia, commissioner Fritz's' representative on the toc. As you know toc is made up of five community members each appointed by a city council member. The other toc members are Ken neubauer for commissioner Fish. Dr. Wolf pinfeld who is supported by former mayor Hales, Joshua Mitchell appointed by former commissioner novick and mike lynch for commissioner Saltzman. We are here to present information from the technology oversight committee quarterly report from January through march 2017. That quarter, toc followed three projects. Portland's online permitting system or pops, the data center move project and the sap enterprise asset management project. Toc is also tracking the telephone switch migration. We're going to protect dash boards from the three projects they are following. The dashboards contain information from the project management staff from our quality assurance contractors and from the toc itself. I remind you this report goes through march. Jeff is going to provide updates on where the projects are as of last week.

Jeff Baer, Director, Bureau of Technology: Good morning, mayor and council. Jeff baer

April 26-27, 2017

as Jen introduced myself. Just want to do a couple quick updates on the Portland online permitting system, pops. It is progressing on schedule we have completed both the project charter and the government's document. At last week's toc meeting, there was a request to review some of the business requirements, the project assessment and design architecture. So we're getting into the technical details of that. And it remains on track for having a decision come very soon which will likely be back in front of city council with the direction we'll be going forward. And sort of parallel to pops is the current demand of tracs permitting system. Right now, it's on an unsupported version 4. We are pursuing and in progress of doing an upgrade to a version 6 which would be supported by the vendor. We are anticipating that would be completed by the end of this year Diana if you want to add any comments as well.

Diana Garcia: Yeah. So just to add to what Jeff has been saying, the toc has been pleased with the progress the pops team has been making. Given our past reports and some of the challenges we saw, the team has really dug in and does some amazing work in the time that the discovery project has kicked off. And we want to recognize that and the work they have done. They've really stepped up and taken the bull by the horns and doing very hard work. And we want to make sure that's acknowledged.

Wheeler: Thank you.

Baer: And also focus on the data center relocation project. This, again, is one that's on schedule. It's within budget. All the major procurements have been completed at this time. We are going forward which is known as a cage design, which is really physically a cage out at via west location. That will be completed and much of the work is going to begin building up at network system in early May. So we're on track with that.

Garcia: I don't have much to say about the study. It's been running smoothly for a data center move. And we've been tracking it closely. They can go sideways easily. The team has been on top of it and doing a great job and keeping everyone informed, which is great.

Baer: Great. Thank you. And I would just add that we are facing the biggest lift coming up right now which is the migration portion of that. We have hundreds of different applications on the network today. And all of those have to be moved out into a new location, stood up in a whole new network and all the testing that goes with it is a very large lift for everybody involved in it. It's dependent on getting out of the Portland building by December which construction begins mid to late December. We're on schedule to have that completed. The last one you'll note here is eam or the enterprise asset management. This one we put on hold because of the data center move. We needed to find out when the schedule was going to take place. So it didn't inhibit the implementation work for the enterprise asset management system. So I don't have much update other than we're going to start this back up in June.

Garcia: The only thing on that is we supported policing this project on hold. We know the data center move is critical. So we work in full alignment with placing this project on hold.

Baer: As a final comment, I want to express my gratitude to Diana and the toc. We've had robust conversations in the monthly meeting about everything from the technical details to the management of different projects. Thank you very much. And appreciate the council's support to put this in place. To me, it's a model that should be replicated and worked really well.

Wheeler: All right.

Saltzman: I have a question about the budget for the Portland online budgeting system. I always thought it was more like \$11 million.

Baer: That was the total project funds. They are using what was left over from that and carved that out for the pops project. I'm sorry, discovery.

Fritz: Thank you very much for serving on my behalf. I appreciate your experience with the

April 26-27, 2017

committee and also taking the time to come today. What's happening with the technology upgrade in development services? I know it was put on hold. Has the technology oversight committee been involved in giving advice since you tracked it for a very long time and saw what the problems were? Are you involved in the next steps?

Garcia: We are absolutely involved. That's one of the big changes we have seen. We have a lot of transparency with the team that's working on this. It feels like we are providing valuable feedback. And we're getting enough information so we can give true insight from our perspective. So it feels a lot more like a partnership at this point with the toc members. We had conversation about how we get to the technology and people involved in that. My forte is process management and improvement. Seeing that play out not just with the technology but how we get there has been great. And really appreciate the transparency we have been receiving so we can truly provide valuable feedback.

Fritz: And my understanding is although the commissioner Eudaly is assigned, you as the commissioner in charge of the management and finance overseeing that process.

Wheeler: That's correct.

Fish: Since you have come back and got back in the saddle on this, we have seen positive changes. There's been quite a bit of red on our report. One of the reasons we do this exercise is to flag the challenges. The tread line is very encouraging. To what do you attribute that?

Baer: I think a couple things. Mostly with the itap project, it had been languishing for quite a number of different reports. If you look back at the qa reports that were issued in the toc as well. There were many months of red indicators. In doing the assessment, we hired an outside assessor to come in and really read baseline and take a look at what do we need to do to change the approach to that. And we capped it off and along with the commissioner's support and background from his office was really instrumental and kind of asking those difficult questions about what are doing, how are we doing it. As you know we switched out to project managers for the project and we capped off the itap it's really put it on a shelf. We brought in a new project management team to look at it. And we really reflected on it to look at what do we need to do and what are the big decision points. And I think too, to add with the toc's insight was really critical about going forward. That's when you actually stand up today and 30 years down the line of this huge complex system. What the toc recommended is we have to have more deployments along that pathway so you actually see a progressive success points before you start get something up and running 3 years down the road. That was a big change.

Wheeler: Any further questions for the panel? Great, thank you. Public testimony on this item?

Moore-Love: Yes, we have three people signed up. Please come on up. Good morning.

Cameron Stark: I'm a taxpayer here in Portland. I think you are spending your money on bullshit. I think you need to defund fleet week I think you need to not spend your money on whatever the hell this is because we still got people dying in the street. You are bringing in worships that are killing families and sanctuary cities.

Wheeler: I'm sorry, is this related to this?

Stark: What the hell is that? That is just not acceptable.

Wheeler: Excuse me.

Stark: This is a sanctuary city.

Wheeler: Excuse me. This is a violation of council rules. If you do not stop, I will ask you to leave. Thank you.

Wheeler: Good morning.

Star Stauffer: Well, I am star Stauffer. I really don't know why you are laughing.

Inappropriate. Really. I agree with Cameron. I think you spend money irresponsibly and it

April 26-27, 2017

has nothing to do with the citizens of Portland and wellbeing. But it has everything to do with everything making your town prettier for white people. Shameful I have to go to the county to get help with the houseless issue.

Wheeler: Is this germane to the contract?

Stauffer: Are we talking about a budget?

Wheeler: It's not the budget.

Stauffer: And also shame on you for bringing that up and making it personal. Nobody in this room has anything to do with that. We all read it in the paper. Way to beat a dead horse.

Wheeler: Thank you. Good morning.

Charles Johnson: Good morning, commissioners. For the record, my name is Charles bridge crane Johnson. And it's unfortunate that we didn't talk about the scoping for the toc. To have a technology oversight committee that is not engaged in oversight. Any of the police bureau's automation suggest that we're not really if there's a banned book section we're not using it. From the time of mayor Sam Adams when we first had the Albina ministerial alliance working with him to look at what we've done with the pattern and practice of abuse. We have not come up with a live open transparent system for letting people know what our police are doing and how their doing it. We haven't had a catastrophe like the itap inside the police bureau that we know of. The bios are a little weak. If you go to the page, I think citizens would like to know more. And it's really disappointing you can't say extreme scale. But that's the issue of -- I didn't take a chance to review it. The procedure is based on a resolution. Maybe you can address how the technology oversight committee. Is there a dollar line threshold to go before oversight or another criteria? Thank you.

Wheeler: Thank you. And that's actually a good question. Could we have somebody come back up from the committee to address some of those issues? Hello again.

Baer: Let's see if I hit them all.

Wheeler: Is the light on?

Baer: Yes.

Wheeler: Great. Thank you.

Baer: In terms of the background for the individuals, I think we've got a a web site if you go to Portlandoregon.gov. The technology oversight committee. You can find the resolution that enacted the committee in the first place. You can find information about each of your council representatives I would encourage individuals to do a search for that. And in terms of how projects are presented to the toc we go through very elaborate review process. And looking at the cost and the risk of internal versus public. Glad to provide that as well it's probably a 6-page document. From the in taking bureau who represented to us, I do a review then I present it to the toc to consider whether or not they want to take that on underneath their portfolio.

Wheeler: Is there an exclusion for the police bureau that was raised? We could bring projects from the police bureau to the toc for consideration.

Baer: I think there was a request some time ago that if the Portland police bureau were to pursue a body worn camera, it would go to the toc.

Wheeler: Absolutely. Good. Further questions?

Fish: I move the report.

Saltzman: Second.

Wheeler: We have a motion from commissioner Fish and a second. Call the roll.

Fish: Thank you Jeff Baer and to the committee members for your excellent work and your service. This was a significant reform brought by Dan Saltzman many years ago to provide an additional oversight over technology program and these technology projects are the

April 26-27, 2017

vain for all levels of government and it requires extra vigilance to make sure we're on track. Thank you for your hard work. And thank you for great staff support. Aye.

Saltzman: Thank you technology oversight committee for your hard work and thank you omf for your staff support. Aye.

Fritz: Well in in every single quarter I remember there was commissioner Saltzman spearheading the setting this up and I think the model of each of the council members appointing someone who's their direct liaison is a good one and I certainly appreciate it Diana and others who've served as my representatives. So thank you very much and thanks to staff. Aye.

Wheeler: There have been few items that attract as much public attention as flawed public sector technology projects. So I'm very supportive of having this committee and my inclination would be to lean on them as heavily as we can understanding the pay scale is not very good serving on this committee. We appreciate we have volunteers with such high levels of technical experience willing to serve and willing to help guide us in the technology implementations. So I'm all for it. Aye. The report is gratefully accepted.

Wheeler: with regard to the consent agenda. I'd like to hold 401 through 407 and do those right before 14 because the staff that would be addressing 401 to 407 would be the same as those presenting 414. We can read those together, take testimony and then vote. So why don't we start with item 398. Assuming staff has had time to show up.

Item 398.

Wheeler: Do we have somebody here who can explain that one? Does not appear so.

Fritz: So this claim arises out of a backup of sewage and storm water into the basement of the claimant's business much of the company's inventory was stored in the basement was not salvageable after coming into contact with the sewage. Pbot was at fault. We've reached the settlement for opening the manhole to drain the flooded street which caused the backup. And this dollar amount lost inventory as far as cleanup cost and negotiated settlement.

Wheeler: Sorry for the last-minute call. Thank you. So commissioner Fritz saved us I don't know if you had more to add to that. If you can give us a couple words on this is the issue.

Randy Stenquist, Risk Management: My name is randy. I'm a liability claims manager in risk management. This is our newest senior claims analyst taken over the position for a recently retired analyst in my department. Jessica Kincaid, Jessica inherits a number of files including these two from her predecessor. So espresso machine is a property damage claim related to a sewer back up at their business location in southeast Portland. There was a rainy day in December of 2015 and there was a lake forming out front of the business and maintenance bureau was dispatched to the scene and the maintenance worker popped a manhole in the street not knowing that manhole was a sanitary-only sewer line. And it drained the lake as he expected it to do what he didn't know was it was going to overwhelm the line serving that property. And that water came rushing in and overwhelmed the basement space of this business. So any other questions Jessica has more familiarity with the claim.

Wheeler: This item was pulled.

Johnson: [Inaudible]

Wheeler: Okay. Sounds like the question has been addressed. Thank you very much. We sure appreciate it. Please call the roll. Did anybody else want to testify on this particular colorful item? Seeing none, please call the roll.

Fish: Aye **Saltzman:** Aye

Fritz: Well thank you again for giving my staff the information about the and my chief of staff Tim Crail. Aye

Wheeler: Aye. The claim is approved. Thank you very much and welcome.

April 26-27, 2017

You may be needed right now. 399 I believe is the next pulled item.

Item 399.

Wheeler: Is this one that you also covered?

Stenquist: This is ours as well.

Wheeler: If you can give us an explanation of this as well.

Kincaid: All right. This involves a fleet accident. A Portland police officer acknowledged that they proceeded on a red light resulting in a collision with Mr. Wong's wife. Mr. Wong's wife was driving a 2016 Mercedes and repair cost totaled \$12,789.85. In Oregon they are entitled to diminished value claim for new vehicles. This Mercedes had less than 1,000 miles on it. So they are entitled to loss of market value. We were able to negotiate with the Wong's and reduce the claim of \$10,910 to 9,000. The total settlement that we recommended was \$21,789.85.

Wheeler: We have public testimony on this item?

Moore-Love: This was pulled.

Wheeler: Maybe if you can just hang out for a few minutes if we take public testimony.

Johnson: I think we have the fact of what happens to a police officer when they admit fault in a moving vehicle accident. Many of us would have to worry about our insurance. And also I'm Charles bridge crane Johnson. So I think that rather than having risk management talk about it I don't know if there's language in the police contract that covers that or if that issue can come across your plate so far as police commissioner.

Wheeler: Not specific to this case. But I can tell you that separate from the insurance claim, there would also be a disciplinary process and investigation that is separate from the insurance claim. I'm not familiar with this particular case, to be very clear.

Johnson: And do we know that if the Wong's felt this was improper they could have pursued the independent process?

Wheeler: I do not know.

Johnson: Thank you very much.

Stenquist: I'll just add to that, mayor. The police bureau has a collision review board which is charged with doing after-accident analysis. And this was under the scrutiny of the collision review board. The investigating officer at the scene found the officer who moved through the intersection was at fault for causing the accident. And I believe the determination of the collision review board was that it was preventable.

Fritz: Presumably then the officer is sent to defensive driver training or something like that?

Stenquist: There are on-going training aspects within the police bureau. We don't have a whole lot of control over that. We are monitoring driving behavior of all city employees that drive for the city. So there is a process by which their licenses are reviewed with regularity to make sure that they still have valid driving privileges.

Fritz: And colleagues just so you know, I have a situation where different bureaus have had collisions like this and that's that I as the commissioner in charge wants to know about. Yes, the settlement is presumably fair cause everybody's agreed to it. But how we reduce the chance of this happening again.

Stenquist: Interestingly, we just did a brief study about vehicle collisions and we look at a three year calendar history from 14, 15 to 16. And the trend line is moving in a downward direction. The cost of repairing vehicles from those collisions of city vehicles as well as private vehicles that may have been affected is going up. So the costs are rising. The number of incidents are on the down swing.

Wheeler: Very good.

Johnson: Just to flush out the issue perhaps the commissioners would be interested in knowing if that was particularly attended to the police bureau or if there was a fleet wide

April 26-27, 2017

including police and other vehicles and how does that compare the police fleet size versus the rest of the city.

Wheeler: Good question. Thank you. Mr. Walsh, and you also wanted to testify.

Joe Walsh: Good morning my name is Joe Walsh I represent individuals for justice we had the same question that bridge crane Johnson had and you seem to have answered those. The additional questions were, was the police officer drug tested? We'd like to know that if you in an accident then a police officer will do drug testing on you. If it's apparent you caused the accident and apparently he caused the accident. The only question we had was where was he going? Was he on a call? Or was he just going through the red light because he could? Who you gonna call the cops? Cops do that all the time they go through red lights because they answer to no one. So we would like to know that. The reason we object to these consent agendas so these items is this is a good discussion. Commissioner Fritz had good questions. The citizens have a right to know what happened. It's their money. You keep spending it and you want to do it underneath the table and we are really upset with that so now we know that the cop was at fault. We don't know if he was on a call, maybe there was a bank robbery and he was going to get the robber maybe it was justified. I don't think so, doesn't sound right that's called transparency folks and I know you don't like transparency. And I speak to the people that are watching this and saying we need transparency. We need the discussion. We need this information. And we have a right to it we pay for it, it doesn't come out of your pockets.

Wheeler: Thank you, sir.

Walsh: Can anybody answer me that question? Was the Police officer drug tested on site?

Stenquist: He was not.

Stenquist: I would add he is treated like any other driver. He was impaired in some manner.

Walsh: Next time you get stopped and a cop says walk that line that's drug testing. That's the beginning of drug testing. And you say to him we don't do that.

Walsh: Okay. Thank you. I believe we have one more person signed up. Come on up. Good morning.

Wheeler: If you can just slide the mic closer to you. And just state your name for the record. Thank you.

Shianne: I'm Shianne. I live in the city of Vancouver. I frequent Portland. I'm a student here and used to live in Oregon in general. I know we already passed the subject but wanted to reconnect back to the technology conversation. It has to do with this. What I was thinking you guys were talking about observing the driving habits; right?

Stenquist: I believe I mentioned there was a post-accident collision review board.

Shianne: Would it be possible to make a few more people happy if there was somehow -- you know how the safe driver discount works? What if there was some way we could do that for the city of Portland officers. They are happy cause they get to see they are driving safely and being held accountable for their driving. And the city of Portland has the means to otherwise protect our officers as well. Personally, I've been in car accidents before and not always are police officers called in general -- it's generally dealt with by the drivers. And it's only really in accidents that have caused injury or fatality that they are called to the scene. And so the fact that there was no other officer on the scene has nothing to do with that. He was a police officer that crashed into this person. But rather it was more of, I think, perhaps we all run red lights on accident. And I know we're all supposed to be paying attention. But it's not always possible. It's an inevitability for an officer to go his whole career without running a red light. That's what I wanted to say.

Wheeler: Thank you. Appreciate it. Thanks for your testimony. We have one more person.

Stenquist: If I may, just for the record. There was a traffic investigating officer from the

April 26-27, 2017

police bureau who responded to the crash and spoke with both of the parties that were involved.

Wheeler: Thank you.

Star Stauffer: Star Stauffer, my son is a teenager and he walks home from school. So this is a great concern of mine. I want to start off by saying that police are not like every other driver. They are police. They are driving city vehicles. Therefore, they should be held to a higher standard of driving. So they should not be treated like every other driver because they are police. I don't know of many drivers that drive down the streets with lights on top of their car, have the authority to run red lights, make people pull over for absolutely no reason, carry a gun and detain folks, do you? I can't do that as a driver. So again, they are not like every other driver. And I'm concerned that this officer wasn't drug tested. I'm concerned that I don't know anything about his driving history. I don't know anything about the capacity to make good decisions. He's a cop, so therefore I already doubt the capacity to make good decisions. And he's driving around. Is he still driving where my son can be hit by him? This is a Mercedes so it's a much bigger deal than a child being hit in this city of money and whiteness and more money. But I'm concerned about my child. So I want to know why this officer wasn't drug tested. When they are driving that vehicle speeding through red lights, they can hit anybody. Why are they not being drug tested? What the hell is wrong with you people? Are you going to hold the police accountable? They might as well go out and started spraying everybody with bullets. God know they'll get away with it. Maybe I can become a cop so I can speed through the city, run everybody down, shoot anybody I want. Holy crap. I'm wondering what the heck they have to do to be accountable? How much money do they need to have for it? How much do they have to cost the city? How many lives need to be lost? How much more of a laughing stock from the rest of the nation do you have to let your police force get it before you are embarrassed by them. I don't even know how you look at yourself in the mirror. You just disgust me. Yuck. Vomit.

Wheeler: Thank you. Call the roll please.

Fish: Aye **Saltzman:** Aye

Fritz: Thank you for your explanation. Aye

Wheeler: I appreciate your explanation. Particularly the part where you answered the question about why wasn't he drug tested. Correct me if I'm wrong. Is it still the case that in the united states you cannot be drug tested unless there's probable cause that you were impaired while you were driving? Is that true or false?

Ben Walters, Deputy City Attorney: That is the understanding we are operating from.

Wheeler: Aye. I approve the settlement. The settlement is adopted. Item 410.

Item 410.

Saltzman: I'm asking that this be returned to my office.

Wheeler: Return to the office at the request of commissioner Saltzman. That leaves us with 412?

Item 412.

Saltzman: Also asking this be returned to my office.

Wheeler: 412 is also returned to office. So what I'd like to do now since I believe we are at 414 on the regular; is that correct? We still have 401 through 407 pulled from the consent agenda. What I'd like to do is read all of those together since they are all related to the same issue. And I believe that clears the consent agenda.

Moore-Love: 413 still. Pulled from the consent.

Wheeler: Let's do 413 first.

Item 413.

Wheeler: Is there somebody from staff to speak to that issue? Here comes somebody

April 26-27, 2017

right now. Who pulled it? Good morning.

Michelle Rodriguez, Office of Neighborhood Involvement: Good morning. My name is Michelle Rodriguez. I work for the office of neighborhood involvement and I am the management analyst. This grant as was stated covers insurance for neighborhood association for a small non-profit to cover programs and events. It's done with all of the coalition offices not just north Portland I know that was a question that was asked. Some examples of non-profits that received this insurance for their events or programs are Viva La Free which creates art healing projects and public art energize, chant and heal. Viva La Free recruits and develops artists from vulnerable marginalized operations. Paid artist interns use art action to activate change in the community. North Portland library is a recipient of the insurance where they host free events like the repair café where volunteers fix small appliances, bikes as well as sharpening tools, knives. Portland avi arts which is a nonreligious non-profit arts initiative fostering human creativity and the development of diverse vital compassionate rooted resilient arts community via the art education it's hosted at st Andrews episcopal church. Those are just an example of the organizations that receive this insurance.

Wheeler: Very good. You may take a seat and we'll take public testimony. Good morning.

Walsh: Good morning. My name is joe walsh I represent individuals for justice for the record. This morning on the way here on the bus because we were delayed so much, I decided to reread the supporting document on this item. And some of the items we pulled. And they are now traveling on the trimet in the city. I don't have my notes in front of me. I lost them.

Wheeler: That's too bad.

Walsh: But off the top of my head I remember when we discussed this we were confused about whether it was \$10,000 or \$50,000. The supporting documentation is \$10,000 a number of times. But this is \$50,000. We had no objection to the main part we would ask though that you consider doing an amendment or ask them to put into their action plan a proposal that when we have severe weather that they open up their center that it seems to us that we're working with the county that we are working with you on some level. Not sure what level. We're working with the county. And we're concerned about when we get notification from the weather bureau, we're going to have severe weather, we can get the 3 to 5-day notice. So in the preparation and you saw preparations then, that includes opening up the centers or warming shelters. So you are giving them \$50,000 and we're giving them money. You know what? When we get into a critical emergency situation and we're all running around crazy, we want you to open up. We take that as a message and maybe next time around we'll give you \$100,000. Don't say that. But you can apply that. If you are nice to me, I'll be nice to you. We realize we don't get it this time around. And what we want is very simple. When we get into this emergency weather, whether its high temperature and low temperature. And we're going to lose people on the street if we don't get them off now. Because if you wait, nobody moves. We can't move. Thank you.

Wheeler: Thank you, sir. Good morning of the.

Charles Johnson: Charles bridge crane Johnson. And I believe it's the Kenton area that's kind of leading the way and opening our community to tiny homes and creating a place for circumstances to try new tiny home way of life. I think to Mr. Walsh's question of 10,000 versus 50,000, we talked about an appropriation for five years actually I would only apply 10,000 to each budget cycle. So I encourage -- it's interesting that I've seen a Kenton action plan. And all the time that there's been an east Portland action plan, we can look later to see similar money. Thank you very much.

Wheeler: Thank you.

Fish: We don't need to bring Ms. Rodriguez back up. But is it \$10,000 for next fiscal year

April 26-27, 2017

and not to exceed five years? Not to exceed 50,000. That answers Mr. Walsh's question. But the contract is for a period up to five years.

Walters: I was going to recommend in section 3a of the contract that's attached to the ordinance that the points made by commissioner Fish regarding that the contract is for annual amount of \$10,000 up to a total of \$50,000 to a contract term of five years. That be added to section 3a.

Wheeler: We have a motion.

Fritz: Second.

Wheeler: Call the roll on the amendment.

Fish: I view this as a clarifying amendment and appreciate the testimony. Aye.

Saltzman: Aye. **Fritz:** Aye.

Wheeler: Aye. So the amendment is adopted. Any further discussion? On the main motion please call the roll.

Fish: Aye **Saltzman:** Aye

Fritz: A coalition in north Portland called north Portland cares and they are particularly many of the communities in north Portland here's a urgent weather emergency or not are dedicated to helping people get inside during inclement weather. Roosevelt high school is serving students who live outside and they open their doors very early to allow people come and take showers and stay later into the evening. So I don't know whether the Kenton fire house was used for emergency uses his past winter, I do know that north Portland care and community is right on it and agrees that everybody should be inside. Aye.

Wheeler: I agree with the testimony around better collaborative preparation when we know we're going to have severe weather event. As some of you will recall, I began my term with a series of weather events in my lifetime and we were not as well prepared as we could have been in terms of working with other government agencies and non-profits organizations and we had to do a lot of that work on the fly. The good news is we learned a lesson or two from that experience in terms of preparation in collaboration and the joint office of homelessness services has really stepped up in a big way and I feel like we are now better prepared for those kinds of situations. And I also agree with the philosophy that to the degree that we are providing support services for community organizations. There should be clarification that we are partners. And partner doesn't mean the city provides money and is gone. It means there are certain services that are provided. Yes, in a community emergency we should pull together. And I can only speak to speak a couple organizations on this list. We would need that call. It's actually a good conversation to have going forward. So with that aye the grant agreement is approved. Let's do this. Let's read 401 through 407 together. We have to vote on them individually but they are all very much related to the same type of programs. So read them all and we'll take testimony on it and vote on them individually.

Item 401.

Item 402.

Item 403.

Item 404.

Item 405.

Item 406.

Item 407.

Wheeler: Good morning.

Dory Van Bockel, Portland Housing Bureau: Good morning.

Wheeler: If you can just give us a brief overview of this tax exemption program, why they have been awarded to these particular projects. That will probably answer a lot of the

April 26-27, 2017

questions that people may have. And then we'll take public testimony. They may have different questions than those in which case we can bring you back to answer them. If you want to take a stab at that.

Van Bockel: Excellent. My name is dory Van Bockel. I'm with the housing bureau and the coordinator for the multi program. The multiple limited tax exemption program is a 10-year exemption that is provided on development projects within the city of Portland in exchange for additional public benefits that wouldn't necessarily be included in the projects. And primarily, that is afford ability. So all of these projects have additional or afford ability at either 20% of the project limited at 60% of area median income over the 10-year period or 80% of area percent of median income. And depends upon the market rent for the type of unit being provided. Based on the area, the size, the amenities, et cetera.

Wheeler: So you give a 10-year tax exemption and how long does the afford ability last?

Van Bockel: With these projects, it's the same 10 years of the period of the exemption.

Wheeler: Thank you. Great. So why don't we take public testimony. You can go ahead and have a seat. If there's further questions, we might have you come up again.

Joe Walsh: Just for clarification, I'm requesting that we do each individual one instead of a group. Or you can agree to whatever objections that are raised in 401 will go to all of them and that will be on the record.

Wheeler: That is correct.

Walsh: I don't want to waste your time. A lot is going to be repetitious. However, they are individuals. We do have a right to three minutes on each one. So we'll give that up if the record shows whatever objections we raise on 401 will also be incorporated into the rest of them.

Wheeler: Yes, agree.

Walsh: Okay. Thank you. It's a little complicated because I don't have my notes. What I remember is the first one 401 and correct me if I'm wrong is 80%. Their taking the percentage and lowering some of the apartments, so you have studios, you have one bedrooms, and two bedrooms. And a lot of the developments or extensions some of them were extensions, some of them were new, some of them are 80% percent some of them are 60% percent. We're looking at it and saying the income for Portland is now rated a \$73,000 I don't make \$73,000 I'm retired I don't make it, so if you think 80% of that your still in the high 60s if I'm doing my math correctly. What does that have to do with low income? Nothing. These all have nothing to do with low income somebody like me who is retired and makes \$35,000 somewhere around there. I can't qualify for the places. What does that have to do with our problem, we have a problem with people on the streets, we have a problem with people hanging by their fingernails asking for help. And you know that because we self help them with their rent. We get the money so don't get thrown out on the street, then we help them on the street and we build shelters, emergency shelters that last for 40 years. Did you know that emergency shelters will last 40 years? Salvation army's emergency shelter how old is that, about 40 years and they say we've been doing this for 40 years. Ladies and gentlemen, you are giving millions of dollars in tax breaks to these guys over a 10-year period it's about \$5-6 million for what. For people that can afford \$60,000 as a base why are we doing that and what money are we using for that? Are we using federal money for that with that money we're using are we just writing it off and when we're righting it off 10-years down the line you say just write it off it comes from someplace, it's in somebody's pocket. So those are our objections and we demand not 80%, we demand 40% that would bring you still into \$38,000 somewhere around there that's reasonable, you're not being reasonable with the tax faze money, you are giving tax breaks to your buddies and millions and millions to these people.

Wheeler: Thank you, sir.

April 26-27, 2017

Lightning: Good morning. My name is lightning. I represent lightning super watchdog. One of the things I want to have a more understanding on these types of projects is that when these projects are rolled out to the public with these type of tax benefits, I also want to see how many jobs are created per each project. I want to have an understanding and I want to start hearing that on every project we talk about. How many people are going to be employed, how much are we going to end up paying all those people? I want to start hearing that more and more. I want to start seeing the square footage of the units which is very important to establish what the market rent would be in looking at other locations. Again, I want to have that understanding on the materials that are going to be bought on these projects. What the dollar amount will be. Different type of materials purchased. I want to have a clear understanding and all the benefits that will happen throughout the city because of these projects. We don't normally emphasize that on the jobs created. Who is going to be employed working there? Who's going to be employed working thereafter, the benefits of the people on these projects. I want to have a clear understanding of the jobs creating. It's a very important issue when you are talking public benefits and subsidies going towards the projects that we don't emphasize on when people say I don't like this. I want to know how many people are going to be working.

Wheeler: You are talking about the construction jobs?

Lightning: Absolutely.

Fish: There's a precedent for that. When we got the stimulus money back in 09 or something and we had shovel-ready projects ready remember we put the Obama stimulus money. We had to track the economic impact.

Lightning: That was important to do that. Issue number two on these. When the people do not follow through with the program. I assume they have to pay back that money. If they do a sale in five years, I assume that program ends or can it be extended to the new buyer. That's just a question I'm throwing out there. And again, just my understanding just from hearing from some developers in the marketplace, there has to be more incentives to create more inventory if you want lower rents. People are looking at the rent control. They are looking at the inclusionary zoning, which, again, if the developers are saying they are backing away from certain projects, we have to readjust to continue to have rapid development and new properties out there which will begin to drop the prices in the overall market. If you do not do that and you limit the inventory the rents will continue to go up and people will not be able to live within the urban areas and it has to be adjusted to where they want to keep building these types of units which adds employment throughout the community. So I approve all of this I'm just at more inventory will reduce prices hats just my position thank you.

Wheeler: Very good thank you. Good morning.

Mary Sipe: Hi my names Mary Sipe it's nice to see you again, I want to hit on a little bit this population this program addresses every time we hear conversations about affordable housing and we there's a huge segment of the population that doesn't get addressed and that is people like myself who are over 65, people like myself who are can be deemed disabled who live in this type of housing. Just to give some clarification 60% of fmi the building that I live in single person cannot make more than 50% or 60% of the mfi, which means for a person like myself the maximum amount of money that I can make in order to continue to live in the housing that I live in is about \$24,000. My social security is about \$19,000, so just because that is the ceiling it doesn't mean that people make that much. The building I live in, there are over 200 income restricted units. The majority of the people that live there are people like myself, people who perhaps during the recession like myself due to the corporate reorganization lost their jobs, lost their homes, lost their cars. [crying] lost their dignity. And without this, we would have no place to go. We will be the next

April 26-27, 2017

people sleeping on the sidewalks. [crying] we need to support as many of these programs as we can. As you can tell, this is a very serious problem and we're overlooking a huge segment of the population. That is going to be on the street. So every program that you can put together to increase the number of affordable units in our city is critical. Thank you. I appreciate it.

Wheeler: We appreciate it.

Fritz: You previously testified what if people then start getting to a higher income, do those folks have to move out?

Sipe: Right.

Fritz: I'll talk with staff after we have heard all the testimony.

Wheeler: Thank you for clarifying. There's a lot of confusion. I have come to find out that affordable housing has its own language and it's not helpful. So these mfis, it depends how many people in your household and it's a threshold income. For example, you mentioned that in your situation, it's \$24,000. I don't have the 2016 data in my head but I remember the 2015 data for a household of one is about 30,000, so that's the maximum threshold.

Sipe: Exactly.

Wheeler: It doesn't mean the people living there make an income of 30,000.

Sipe: Exactly.

Wheeler: While I'm on a tear there's a really good question, what is the source of funding? It's not tax dollars coming out of current tax proceeds. It's foregone tax dollars that those projects would generate. In other words, if the projects aren't built there wouldn't be any tax dollars anyway so we're foregoing ten years of some percentage of tax collection and exemption in exchange for making that project work as a non market rate building. Right now if you're developing a project you want to develop market rate housing. Go for the top end. We're actually buying down the affordability in those buildings by providing the tax exemption. The question was asked, what if somebody buys -- sells the project five years in? That's actually a very common scenario. The tax exemption and affordability stay in place regardless of the owner. That's done in stone. Thank you, Mary, for your testimony.

Sipe: Thank you.

Wheeler: Good morning.

Charles Johnson: Good morning. Charles bridge crane Johnson. Indeed, the whole mfi household size thing is problematic and not really resolved when we go to the individual breakout for these items. I know that it's a little bit frustrating because we have passed inclusionary zoning, the agenda item coming up is going to change the procedure to five-year rolling cap, but I think that public sentiment also needs to be met. Are there any developers who go beyond a floor of 20% units? Even though they don't get additional tax abatement, you know, I can understand why there isn't but I hope when we move on to the other item we'll talk about incentivizing and, you know, just positive reinforcement for developers that, you know, are settling for the last good dollar instead of squeezing every last red cent out and making sure -- we designed these smaller studio apartments that, oh, look at that. They don't have washer dryer connections, but the studio apartments on the other floor do and have 10% more square feet. The most critical issue, though, is when we look at two specific properties, one is at 3rd and ash, and I can't believe you'll approve it without calling it the voodoo donuts palatial estates. [laughter] and the other is that the proper name for all these places got pushed out to 91st, deep south 5728 91st all these places would have better marketability if they were all the woody Guthrie estates across every quadrant of Portland. Thank you very much.

Wheeler: Thank you. Just to answer your question, when it comes to private sector development as a practical matter you can get down to about 30% mfi through various incentives, tax abatements and all that. below 30% mfi, you're really talking about

April 26-27, 2017

government housing and we do that too. So the bond that the public just supported creates \$260 million for all manner of housing. Below 30% is nonprofits like proud ground, habitat for humanity. Some of the neighborhood -- [speaking simultaneously] exactly. Then the kinds of things commissioner Fish was talking about with bud clark commons and some of the other permanent supportive housing options. Those are typically government nonprofit places.

Johnson: Was any language in the bond to addressing like everybody under 60 mfi?

Fish: 50% of apartments are for people zero to 30. Deeply, deeply affordable.

Wheeler: Thank you. Good conversation. We are on 401 to 407, so we're taking testimony on all of them together.

Fish: We'll make our comments on the first one?

Wheeler: That's probably the way to go.

Fritz: Could I ask staff a question, please? Mary Sipe said in earlier hearings that there are people in her building who continue to stay at the low-income housing but they have gotten jobs and purchased homes elsewhere, which they are then renting out. What happens to people who start out qualifying and then are taking up space that somebody who is at lower income could move into?

Van Bockel: Specifically, within the multi-program there is a provision that allows someone to have their income rise in place up to 20% over the maximum limit. If it's at 60% they could earn up to 80% of area median income and it would still be the rent would still be lower and they would be considered eligible unit within the building. Thereafter they would need to either resume paying market rent for that unit and the owner would need to provide another unit in the building as affordable or the tenant could choose to move on to something else or another opportunity. That being said there are other funding sources that have different requirements such as the low-income housing tax credit program. If those are also sources involved in the building they may have other ways of treating that situation.

Fritz: Are the tenants required to give their annual income tax statements?

Van Bockel: For any of the affordable units there's a compliance program like with any of the direct funded units in the portfolio for the Portland housing bureau. So each year both the tenant's income and current rent including utility allowance is reported to the housing bureau to monitor.

Fritz: Thank you. Something that seems out of compliance with that. Is there a system whereby other tenants or somebody could anonymously complain and start an investigation?

Van Bockel: Of course. Absolutely. There's a guideline as to how we would deal with any project out of compliance allowing them to cure it with a goal of openly maintaining the affordable units and bringing it into compliance but if a project weren't able to meet the requirements there's also a penalty and full taxes would be resumed as well.

Fritz: We have seen those come to council so presumably someone could call information and referral 823-4000 and they could ask to be connected with that system.

Van Bockel: Exactly.

Fritz: Thank you.

Wheeler: Great. Please here's what we'll do. Call the roll, please, on 40 -- commissioner Fish? Can you please call the roll on item 401?

Fish: Mayor, I'm going to give my comments for all of them. I appreciate the conversation and the question that I heard recurring theme was are we investing -- thank you very much. Are we investing enough money in the kind of subsidized housing which is most urgently needed in our community. So I'll just put that in context. Independent study was released recently saying we're short just under 2,000 units of what's called permanent

April 26-27, 2017

supportive housing. Permanent supportive housing is what you need to take someone who is in mental health crisis on the street, chronically homeless, and give them a fighting chance of being a successful tenant. In other words, you have to give them a home and intensive services. Without them, without the services often the it's not a successful tenancy. Tends to be more expensive because it has enriched services attached. The best example where we have had success and I think commissioner Saltzman deserves a bow on this, we made a commitment as a city and a county to greatly reduce the amount of veterans who are homeless. We had a very friendly tool then, something called a vash voucher, a federal voucher that provided a subsidy for the home and services. That's why we were quite successful. It's a program we don't want to see the federal government retreat on. Interestingly the only agency not subject to sequestration is the veteran's administration so we have hope those programs won't be cut even if across the board cuts. To the point are we invested limited tax dollars in the right kind of housing my answer is no. The people who live on our streets are not eligible for the kind of housing we're funding today. People living on our streets, the poorest of the poor, people with addiction, mental health crisis, they are people that if we don't increase the supply of housing zero to 30% of median family income and heavy on the zero because many people have no income, we're not going to be able to house them. So that's not what this housing is targeting. We have over a dozen funding sources and we could spend all day describing the patchwork quilt and no one is here defending this byzantine system but since people ask I think it's important to say that each program meets a different need in the community. So section 8 voucher, which is the largest housing program in the state of Oregon, for very low income people. Typically, in our community they are older, more likely a person of color and more likely to have a disability. When you hear the section 8 program may be cut under this administration those are people to the point of previous testimony who literally don't have a better option. Those are the people impacted if you scale back the section 8 program funded by the federal government. We also have money we spend out of urban renewal dollars and we have had lots of hearings on where tif dollars go. By council rule they can only be spend on people earning zero to 60% of people earning median family income. To my mind that's a better slice. We have direct and indirect programs. Today we're talking about as the mayor said foregone revenue. We don't collect property taxes on the building. Is this the most efficient way of getting housing? No in two respects. One is the subsidy is quite rich. The foregone revenue. Number 2, this is work force housing, not low-income housing. This is housing for people that are entry level workers downtown. This is housing for my daughter. Entry level worker. It's important that there be housing for folks in work force but we are always going to be asking the question where should the last tax dollar go and where is the most compelling need. My own view, we're still out of whack and we don't invest enough money where the crushing need is and you say, okay, either agree or disagree with that but here's the consequence. If we don't house the poorest of the poor, we'll spend much more money dealing with all the consequences of that policy choice. Because the poorest of the poor are dying on our streets, are getting primary health care through emergency room services, are having interactions with fire bureau personnel and police in ways that were never contemplated and the whole system is not designed to meet their needs. So we can make these choices but let's be clear we'll end up paying a lot more in the long term. That's why I believe we should be spending more of our money with the county addressing people who are in poverty because it's going to cost us a lot more if we don't and I think it's morally the right thing to do. The reason I will support the applications before us is it turns out this housing crisis is impacting people across the income ladder. If we don't have work force housing or housing for working class people, then shame on us. They are also being negatively impacted. One thing about this

April 26-27, 2017

program that I think is very positive is these are generally buildings that are going up in areas that are desirable. We call it opportunity but they are desirable. I think there's something important about 20% of the units in a nice building in a desirable area set aside for people that are being priced out of our city. That's why I will support it even though it doesn't address what I think is the crushing need and not the most efficient way to good there, but it is part of a solution. Thank you for the presentation. Aye.

Saltzman: Well, I'm very supportive of these multi-applications before us today and I think it's noteworthy to look at this from sort of the 30,000-foot level. I think we have more multi-applications before us today than in the entire last year. Perhaps. Or close to. So it shows that affordable housing, we lack 25,000 units of affordable housing and we need to have all cylinders working and the multi-is an important cylinder. It's not the very low income people but I think Mary Sipe, I appreciate your testimony, I'm sorry Joe wasn't here to see you. You're not the rich fat cat that Joe Walsh makes out somebody to be who makes less than 60% income. It's working people, it is poor people and we have an obligation as a city to work as I said with all cylinders working. That means direct subsidy for very low income, but for 60, 80% median income we need to work with the private sector to marshal their forces to build as commissioner Fish said in good opportunity areas, desirable neighborhoods, where everyone should have the right to access to parks, jobs, good transit. That's what these multi's are all about. I'm pleased we're here and I know we're going to make some changes in just a few minutes that even make it better. But we need everything. We need inclusionary zoning, direct subsidies, we need the multi-program if we're serious about meeting our goals of affordable housing for the residents of our city. This is great. Thank you for the good work. Aye.

Fritz: Thank you very much for your good work and thank you for the testimony on this. As commissioner Fish said this is work force housing for 80% median family income. It's the one project which is 45 units with nine below 60%, which is families working on minimum wage. And that's in one of the nicest areas at 22nd and Pettygrove. I agree all kinds of people can live in some of the nicest areas in our city. What we're approving is 770 total units with 167 work force affordable or really affordable. Thank you to Goldann Salazar who wrote this all up for me and figuring it all out. Last night I was at a fund-raiser in southwest for the assist program it's by Melanie Calvin who is a longtime collaborator she helps people with disabilities get on social security and disability. I can't remember the numbers from memory, something like 30% of people who applied to directly to the social security disability program only 30% get through after six months. Sometimes it can take up to three years with multiple applications. The assist program which is a nonprofit, is specializing in doing this and they have over 400 people on ssi, 74% success rate at six months, which is phenomenal. I was happy to know it's a program that helps the government to get the people benefits they deserve. It is benefits they deserve. That's why they are called benefits. I appreciate that program. It's the assist program. Thank you very much, Mayor, for your dedication to this issue. The 770 units will certainly add some capacity to our housing system. I hope that helps. Aye.

Wheeler: Yield to commissioner Fish.

Fish: I want to thank the Mayor and Housing Bureau. It flows from something Lightning and Charles Johnson have both raised in the past. In the record before us in each of these items there's an exhibit A, and I know Charles saw it. Lightning, I believe you saw it. This is the first time we have had a comprehensive impact statement attached to these applications. It not only sets forth the unit types but has detailed descriptions of public benefit. Lightning, you had testified about what's the benefit, what's the public getting for this. There may be things we want to add to this, but this impact statement is a long time in

April 26-27, 2017

the works and mayor, I think this is a giant step forward in transparency and I thank you for adding this to each of these projects.

Wheeler: Thank you. I appreciate it. I want to go back to what Mr. Walsh and Ms. Sipe said earlier. We talk in this language about housing but we're really trying at all levels of affordability to ensure that we have the proper amount of housing that fits different situations for different people. And while we typically refer to this income level 30 to 60 or 60 to 80 as work force housing we can't forget the fact that Portland is actually aging. As a community. We hear a lot about hip young people moving to Portland but the truth is we are aging. A lot of our honored elders are people who are on fixed incomes. They have spent their lives working hard in this community and they deserve to live out their years in this community with safety and dignity and to be able to afford it. So that is another consequence of this kind of program. I vote aye, obviously, and the application approved. If you could call item 402, the roll, please.

Fish: Aye. **Saltzman:** Aye. **Fritz:** Aye.

Wheeler: Aye the application is approved. Next item please.

Fish: Aye **Saltzman:** Aye **Fritz:** Aye

Wheeler: Aye he application is approved. 404, please.

Fish: Aye. **Saltzman:** Aye. **Fritz:** Aye.

Wheeler: Aye. The application is approved. 405, please.

Fish: Aye. **Saltzman:** Aye.

Fritz: This one I want to note each one of them represent a lot of work at the staff level to check out the project and put it before us. Thank you for that. Aye.

Wheeler: Aye. The application is approved. 406.

Fish: Aye. **Saltzman:** Aye. **Fritz:** Aye.

Wheeler: Aye. The application is approved. 407.

Fish: I want to echo what commissioner Fritz said. A lot of work has gone into this and these impact statements are terrific. Thank you. Also, colleagues, a reminder we're only one of three bodies that have to approve these for them to actually have the force of law. The county has to approve a multi-program and ultimately county assessor, an independent actor, has to agree to take these projects off the tax rolls. There's three levels of accountability in order for an of these projects to go forward. Aye.

Saltzman: Aye. **Fritz:** Aye.

Wheeler: I love the comment about the marketing on this particular project. Woody Guthrie place. Aye. The application is approved. I believe that takes us then to the regular agenda item 414.

Moore-Love: Yes.

Item 414.

Wheeler: I'm going to defer to commissioner Saltzman. I'm currently housing commissioner and obviously support this but it started under commissioner Saltzman.

Saltzman: Thank you, mayor. This really relates to what we just heard. Very successful, increasingly successful program to build affordable housing. One of the problems is we ran up against the agreed-upon cap between the city and county and school district about how much revenue to forego each year in the cycle to make these multi-programs work. What we're seeing now is increasing number of multi-applications and it makes sense to move towards a rather than setting the cap each year at 1.5 million I believe it was set at, lost revenue, to come up with a rolling average over five years not to exceed 15 million. So it increases the annual amount but it also makes sure that it stays fixed on any given year so the impact to the county or the city is known and predictable. This proposal before us that the mayor is bringing forward is really a central piece of the inclusionary zoning program which will insure affordable units are built in new developments throughout our city. The

April 26-27, 2017

state when they enabled the city of Portland required us to offer particular incentives in exchange for the units. The tax exemption we're talking about, we just talked about, is one of the state law requirements. So during the inclusionary development policy development, the panel of experts that we empaneled to give us advice on shaping this policy many of the development community members were concerned this effective tool would go away or not be available because of the one-year cap. Not being able to predict in the future what the future availability of revenues might be. This is really at a very smart move to move to a rolling average and it doesn't as I said not increasing foregone revenue to any taxing entity. Thank you, mayor, for bringing this home. Thank you to the housing bureau staff for your good work and also to county chair Deborah Kafoury.

Matthew Tschabold, Portland Housing Bureau: I think commissioner Saltzman covered a lot so we'll just be here if there are questions. The one additional piece that I'll note really quickly was that the incorporation of the multi-program into mandatory inclusionary housing has extended the term of affordability from ten years to 99 years.

Saltzman: Good point. Thank you.

Wheeler: Is there any further questions or comments?

Fish: Want to say this is very common sense thing. In fact, in many of our programs we evaluate their success over a five-year period like with tax increment financing dollars and meeting the goals that are within the urban renewal district. This gives us more flexibility and is another tool that Dan has brought forward to make this program more effective and work better.

Wheeler: Is there any public testimony?

Moore-Love: Two people signed up.

Wheeler: You can have a seat. We may or may not need you again.

Wheeler: Good morning.

Charles Johnson: Good morning, commissioners, Charles bridge crane Johnson. There's a lot of overlap with the new accounting method. I think one thing that you are especially in light of -- worried about aging population, that not you, whoever is mayor at the time, serving as commissioners, is going to wish you all had planned a funding source so that when these ten year affordable units is given to someone from northwest pilot project or it connects that way because they are 55 years old so when they are 65 they have to move. Now, we're talking about turning the 99 go to 99-year cycle but I'm not sure that's been comprehensively addressed, the idea that people get in, especially people who didn't transition from one income level moving up, have a home, one, two, ten years, then in their later years be in a situation where, oh, going market rate. It's complicated because we're talking about development companies' private property, but I hope that you all engage and probably already have in some conversations about how to, you know, spare those people the trauma of displacement.

Fish: In direct response to your comment number one the housing bureau has the authority to extend the tax abatement for an additional ten years through negotiation. That would create 20 years which I think we should in many cases directly addresses the thing you mentioned. Number 2, we're going to end up buying some properties with the housing bond money and that's why we have had this discussion about grandfathering some folks in because we don't want to be buying properties and then displacing people. We want to make sure that people have a stable home.

Johnson: Thank you.

Wheeler: Good morning.

Lightning: Good morning. I'm lightning. I represent lightning super watchdog. One of the things I didn't -- that wasn't addressed is if somebody wanted to have more than just 20% of the units at, say, 60 or 80%, if they could do that, say they wanted to say I'll do 30%,

April 26-27, 2017

what would be my benefits. I don't know if that could be negotiated or not. Issue two, it's my understanding on this ten-year plan that the rents are set. There's no adjustment -- also understand that if you project out for five years if the rents really go up, what you're seeing is 60% now might look at a lower mfi in the future if I'm correct. These rents are locked in, so if they are locked in at today's rents and there's no adjustment for inflation, then in five to seven years they could actually look very affordable. That's just my opinion. Somebody might be able to address that. Again, it was my understanding on this multi-unit limited tax exemption the actual amount was for 3 million. What you're proposing is to cap this out over five years at 15 million, does that mean we can run up in one year, say, 7 million and then just adjust it out for the total cap on five? Again, I was unclear on that. Again, my position and what I heard, unfortunately I'm not really an inclusionary zoning advocate. I think we're seeing a lot of resistance from developers on making the numbers work over all. Whenever I hear somebody throw out a 99-year term I'm like, nobody in this room is going to be around for that, and the reality is that it's not going to incentivize more units to be built. To me it will deter from building more units. So I'm very -- I would like that inclusionary zoning to be looked at again. It was my understanding it was being load at, get a response and come back. I'm hearing a lot of negative feedback on that. I would rather see more multi-unit exemptions put into place at higher dollar amounts and not have that number of ten plus years extended out because I think that if it creates people from not building more units that's a bad situation. We can always like you say add another ten years on top of that to people that want it, but if they don't, that's a real deterrent on developers stepping up to the plate and getting more units built. Whereas multi-unit limited tax exemption is an incentive it incentivizes people to do that.

Wheeler: Thank you. Did we want to bring staff up to answer some of those questions? Why don't you come up and answer the question about first of all the rent not moving with cpi.

Tschabold: Sure. So the regulated rents for the bureau including the multi-program are based on the median family income set by hud so they publish those numbers annually. Hud has published the new numbers all though the bureau -- it published a single number for a household of four and the bureau imputes that at different ami levels. So while there's not an index to cpi, or inflation, we do see that with growth in incomes we see or declining income we see regulated rents rise or fall. A ten-year average is about two to 3% increase in rent in our regulated portfolio. So there's some growth but it's limited based on income growth in our area.

Wheeler: Great explanation. There was a question about the flexibility component. The three versus the 15. The question is does that mean in a given year you could increase it with the expectation in out years you have to decrease it to keep it under the five-year rolling cap.

Tschabold: That's one thing we had heard from the many of the developers on the panel of experts. The cap was static year to year while development comes in cycles. There was concern that should the city even though within the code if the city runs out of tax exemption the inclusionary requirement would go away until the next calendar year when the city has tax exemption authority. Commissioner Saltzman and chair Kafoury committed to establishing a rolling cap that would in theory allow the city to authorize the tax exemption in alignment with development cycles.

Wheeler: Any further conversation on this?

Saltzman: I want to thank the housing bureau team. Thank you, mayor wheeler, County chair Deborah kafoury. I forgot Shannon Callahan of my own staff. I always forget my own staff -- for her great work on this effort as well.

April 26-27, 2017

Wheeler: I would like to thank you and thank staff. I'll thank anyone else who I forgot. There were a lot of people that worked very, very hard on this. I'm certainly appreciative. This is a nonemergency first reading so it goes to second reading. Thank you for being here. Next item, please.

Item 415.

Wheeler: Anything from the bureau? Very good. Sorry. I was too fast there. Come on up. Good morning.

Ty Engstrom, Portland Police Bureau: Good morning. Sergeant Engstrom I'm here if you have any questions or need basics on the ground.

Wheeler: Could you basically explain the reimbursement? It's my understanding this is an overtime reimbursement. Can you explain how that works?

Engstrom: Sure. This is a grant that we have had each year for a number of years. It's used to add enforcement on officers' days off. Normal workdays they come in, they do whatever we need them to do, responding to the city's needs for traffic related investigations. But if they choose on their day off we have certain shifts we can put out there to increase speed enforcement and distracted driver enforcement, things of that nature, along what we have described as high crash corridors. So working with pbot and odot we have listed out a number of streets that have a lot of crashes, fatalities and different things like that and we try to focus our efforts in those areas. Instead of the city having to pray for the bill, bringing in those officers in on overtime to staff those areas and increase visibility and education enforcement odot has allowed us to pay overtime to do that on their own time. Originally they gave \$15,000. Odot decided they had more money they could appropriate rate so they have offered us another \$30,000 to increase the patrol efforts in those high crash corridors.

Wheeler: Very good. Commissioner Fish?

Fish: I have just a question that's tangentially related to this. I have a big concern about people who are speeding. I think there are some streets in our city getting less safe, not more. I think we have to be tougher with enforcement. I'm also concerned about other types of behavior on our roads. Are the police actively enforcing the laws against garbage trucks that are parking against traffic, blocking lanes, doing U-turns at intersections and other things? Does that fall within the scope of your authority for enforcement code?

Engstrom: I haven't heard of that specific complaint in recent times. I'm actually in charge of the track it program.

Fish: Who at the police would handle that?

Engstrom: That is me. If you have a traffic related complaint of any kind.

Fish: I live in a neighborhood that becomes an occupied zone in the morning with garbage trucks and they think nothing of going against traffic, backing up, blocking single lanes rather than pulling to the curb, engaging in what seems like pretty questionable behavior. I'm currently not clear whose job it is to enforce the law.

Engstrom: The traffic division would be the ones to go to. We deal with all things traffic related. We could send an officer to those areas that are having constant problems and we can also communicate with the garbage companies to work out what better scenarios we can have to resolve the conflicts. As you might recall, a few years ago probably two, three, we had a bad crash downtown just up the block where someone was very, very severely injured by a garbage truck that made an illegal turn.

Fish: We have had that, some cyclists that -- fatalities with regards to the trucks. I'm not sure this is on our radar. I'll follow up with you off line. I would like to get the data, to better understand the law. I did not -- was not my understanding that the code gave garbage truck operators and exemption from the rules of the road and in my neighborhood they do not follow the rules of the road partly because they are stressed out and have to do a lot of

April 26-27, 2017

pickups, but as a result they create safety hazards and I live in goose hollow. It's already pretty dense and congested. It seems to me this is a safety issue that we haven't given enough attention to.

Engstrom: Sure. I would be happy to work with you on that.

Wheeler: I could add to that, commissioner Fish, this sounds like enforcement but also a contractual issue. If there's a contract in place with the garbage haulers and they are not doing it the way, it needs to be done that's a conversation we need to have with them as well.

Fritz: I have raised this issue before. That's a concern about the amount of over time officers are doing. We know that with the shortage of police that we've been hearing. People have been pulled from specialty units to parole the districts. How do you as the person in charge of this unit decide first of all should the officer be on overtime on our dime so we can just cover the basic services rather than this extra, secondly how do you monitor that an officer isn't working 80 hours a week, 100 hours a week, however many it might be to the extent they are then exhausted for the next regular shift?

Engstrom: Great questions. We have relatively small groups of officers that the sergeants are in charge of. It's called their detail. It's up to that sergeant to keep an eye on their detail, make sure they are getting adequate rest between shifts, that they are not overworking themselves. We all help each other and keep tabs as far as that's concerned. It's true with lower staffing numbers we have lost several people from the traffic division and on top of that all our officers within the traffic division now work one day a week, 25% of their time, as east precinct back fill where they are not out doing normal traffic related patrols they may come across traffic related things but their primary responsibility is doing 911 response and going to regular police calls. So you're right. Staffing is short. With this grant they require a certain number of match time hours on straight time which is a benefit to the city because even though we're paying them those straight time hours they are out there working in the high crash corridors. So the city is helping in a way to provide the match time for this grant. Patrol on our dime during the regular business hours. As far as the overtime, they are not required to do it. No one is required to. There are some officers that like to do it. Want to come in and do the extra overtime. Some want to have their full weekend or maybe they do a couple hours at the end of their shift instead of a bigger chunk to take up another day. So it's up to them if they want to work it or not. My job is to look at the areas of patrol where we're having these crashes, make sure that we're giving adequate patrol time to the different locations, and then to select the times of day and make sure that's all approved when they want to work those spots. I put out patrols for specific locations, specific times and days that they can sign up for but if they say this area has some issues and I would like to work that area and I judge those based on whether or not we need the help in that area at that time.

Fritz: You and the chief don't mandate everyone needs to work overtime to fill the shifts?

Engstrom: No, no. That's different. Not these particular shifts for this grant. That's what I'm referring to.

Fritz: No I'm looking at the big picture overall.

Engstrom: There are some things that people get mandated to work. For example, the traffic division we had our days off canceled on Saturday, April 22, for the large march downtown here for the science march. So everyone that would have normally had a scheduled day off were ordered to come in and work. Same will happen on Monday, May 1. So there are some of those that take place and we recognize that that's going to put a burden upon the officers so we don't push them to work the other overtime things as much or anything like that. We keep an eye on whether they are working too much or if they are doing it appropriately.

April 26-27, 2017

Fritz: I assume it's the new police -- still a bit new police commissioner --

Wheeler: I'm aging rapidly, commissioner.

Fritz: I know hard job. When it's published the top employees are often somebody over than the police bureau, the chief making a very large am of money for doing a very large amount of over time. That's another concern of mine. Are particular officers pushing the limits? There should be some constraints. The other question have is, we get these grants often, if we were fully staffed, would we still need overtime to cover these kinds of patrolling?

Engstrom: I think if you look at the crash data, and the amount of traffic fatalities that we have each year, and the city's emphasis has been placed on vision zero which I help oversee, we have a desire to reduce the number of traffic fatalities down to zero. That's what vision zero is all b. We do that through enforcement, education, infrastructure and design of the roadways. There's lots of different parts to that. Even if we had more staffing I think that there honestly could never be enough of us interacting with the public. We don't mandate the officers have to write a ticket. We want them to work. They have to work on the grants and go out and make stops and contact people that are doing inappropriate behavior on the roadways, but we don't mandate that they have to write a ticket. They can write a ticket and be done with it or write a ticket and send someone to a class or write a warning, written warning if they choose. It's up to the officers' discretion what's best in that particular scenario.

Fritz: In the grant is there a quota the amount of people they have to pull over?

Engstrom: No. They want us to be contacting regular people or a regular amount of people throughout the time that we're on the grant. Obviously if you work on the grant for several hours you haven't contacted a single person that's not good but they don't say you have to have this number of tickets or warnings. They count enforcement contacts. They want to know how many enforcement contacts could be a ticket, a ticket and class, or a warning or whatever. They want us to try to get two, three as close as possible an hour but that could be any variation. That could be a written warning which doesn't go on your record, just saying that's inappropriate behavior and this is why.

Fritz: Is there any demographic information about the people pulled over that you monitor to make sure we're not targeting particular races or --

Engstrom: Sure. The Portland police bureau keeps stop data collection. Every time you make a traffic stop the officer is required to go through and fill out a form, a masked form on the computer that collects the reason you stopped them and the demographics that you observed prior to the stop, male, female, what race, and age and all that. Then at the stop what those same demographics were. I can't speak for every officer but when the traffic division is out there, if we're working speed enforcement on highway 30 at the st. John's bridge or something, we're working speed enforcement and you can't tell from 900 feet away who is driving the vehicle. We're just looking for speeding people. When you're up closer and on a busy street where you're looking for someone talking on a cell phone or not wearing their seatbelt sometimes you will see the demographics of whoever is driving the car prior to stop. Fort the most part we don't know that a lot of the times before the stop. The bureau does keep track on a regular basis. Captain mike krebs is over the traffic division. He gets reports and he analyzes that and he and I have conversations about that frequently. That's something we're keeping an eye on. Specifically, to this grant and when those officers are working on this grant, I suppose that we could probably take that apart and it gets more difficult. That would be up to our strategic services division. [speaking simultaneously]

Fritz: That's a very good answer to my question. Thank you.

April 26-27, 2017

Wheeler: Any further questions before we take public testimony? Great. If you would have a seat, we'll bring up public testimony. How many people do we have signed up?

Moore-Love: Four people.

Wheeler: Good morning.

Mimi German: Good morning. I'm Mimi German. I created testimony in two parts, one through a poem for this issue and the rest of it will be non-poetic form. The poem is called sacred is. Hidden in the mystery of this empty glass sacred is hidden in the mystery of this empty glass or is it sipping memories beneath spring rains? The unfolding of a fern or the call beyond the clouds of an osprey circling. When I cup my hands together I hold everything sacred between them. Even in this gardened hell. Sacred is the slow unraveling of a poem or living in a tent under a bridge dodging the rain and the hand that gives to the hand that needs sacred is consciousness. Woven to the mat of earth upon which we are born and it is a blue heaven conveying a dream to a child. My appeal to your heart, council, is that you comprehend and act for the sacred to live the sacred and to being. Divert your gaze from the gas attacks in Syria, from the terror of Israeli apartheid, from the starvation, from elections in France or the Paris attacks, from the escalation of isis in turkey or Tunisia or Kuala Lumpur, morocco or tangiers to genocide in Rwanda, look beyond d.c., yes, look here, look here. These guards posted at the doors of this sand box. These centuries, sentinels protecting private rules of engagement where nothing is sacred except the sand is to into the air. Sacrilege is the golden egg. Look into the eyes that hold fear so close and into the hearts of those who held on and hear the whizzing of bullets that soar in their dreams plucking out children like feathers or flees. Bathe in the tears of the mothers left broken and fallen by cops who walk brazen and free. See how the sacred has left the city a wasteland of what could have been sacred. My testimony for today in the conversational is about overtime as the golden egg. We know that we have first of all commissioner Fritz I really respected your questions and I think that before I run out of time I would like to ask that instead of voting for this today that you collect the information on where are these stops in the different areas of enforcement, especially over time, were they racist based. Maybe they were or weren't but surely as that officer was saying they have the records on that and I think that that needs to be looked at before any kind of vote can happen. I'll leave it there.

Wheeler: Thank you. Good morning.

Charles Johnson: Good morning. Charles bridge crane Johnson. I'm glad that we had this public safety segment brought to us by the best of engstrom, engstrom and engstrom. I think there are three there now. It's been a while since I testified on a police grant. Obviously take all of odot's money. Although whenever odot comes up we have the question how the city and the Oregon department of transportation are interfacing on not disturbing people who are trying to stay alive in their tents. Some have even moved back to the boulders. On this particular issue it was interesting that the vision zero came out from officer or sergeant engstrom's mouth before we got to it. There's still room for a fusion improvement of how what's available from odot affects plans for the traffic in outer division and southeast and stuff like that. Then over time question, the fact that some people as patrol people are earning more than the chief of police is really problematic for a lot of citizens, not just people highly focused on the police like myself but we have situations where some officers the only stress they have is the apple store for overtime then we have others that are doing actual public safety work. So I hope that as you age rapidly in this police commissioner job you'll find a way to look at that. I don't know even for sure if the Portland police association managing the overtime that's not traffic if that is included in the salary numbers for the 200,000 police officers is it because apple pays to the Portland patrol association which manages to get the money into a city-cut paycheck? This

April 26-27, 2017

particular agenda item, yes, take the odot money, get people where people are dying in traffic accidents. Let's also talk about the quality of the officers. These officers generally have never pulled their gun. Officer Hurst who has killed two people during his career. That's an anomaly that the city needs to address. So that killer cops aren't a part of the Portland police inventory. They know about deescalation.

Wheeler: Thank you.

Star Stauffer: Good morning. Star Stauffer. I have a few concerns about giving the police any more money. In specific to this, going back to the accident that happened we were discussing earlier in regards that officer, was he working overtime? How many hours a week had he put in for overtime? Just out of curiosity. Officers that are working traffic division specifically, there are many ways that an accident can happen. Driver negligence, weather, being tired, being impaired because of drug use or alcohol use, distractions, cell phone. I see cops driving with their cellphones all the time. I see cops texting while driving. I know that officers are tired while they are behind the wheel. I'm not really sure what the way that the police department has shown itself to operate right now that they need more money to be enforcing anyone on anyone. This whole thing where people are speeding, we can't see their race? Oh, come on. We weren't born yesterday. Police profile based on race all the time. Now we'll have more people out there. And what areas are they going to be put in? In northeast, southeast or northwest? Because depending on the area, and the majority race of that neighborhood, I'm curious where you plan to station these officers. Are they really going to be used for traffic and keeping the roadways safe or is this really more of a direct policing thing that they are going to be doing with community members? Are they going to be pulling over kids, looking at jay walkers what exactly are they going to be doing with this money if they are just going to be sitting in their cars watching traffic then one thing that I would like if that's really just the case I want them drug tested. I want to know how many hours they are sleeping. Who are they to be out there patrolling anything if they are exhausted drivers if they are under the influence of drugs? I mean how do we know? We know because that officer got in that accident he wasn't drug tested. Most people when they have an accident on the job are drug tested. Who are we to be putting these officers out to enforce traffic when I see them breaking traffic laws all the time? Who is watching them? Some of that money needs to be allocated to watching them. I want to see logs. Hours of overtime. I want to know what the health issues are in regard to this. I'm on the road. I don't want a cop pulling me over because he's made impaired decisions? People get shot in traffic stops. Look at philando castile. You're putting more cops out there. Yuck. Yuck.

Wheeler: Thank you.

German: Commissioner Fish, if you would like to talk about the rose festival and what went down, none of us had anything to do with it. I'm happy to talk about defunding fleet week.

Wheeler: Hello.

Kris Ramsey: Hi. I'm Kris Ramsey. I'm still a nervous new speaker.

Wheeler: Thanks for being here.

Ramsey: Just a few things. I was listening and I found it repugnant that we're sitting here pretending that the goal is to save you guys \$30,000 by funneling this to the odot grant when last month we asked for 2 million for live bullets. I just wanted to acknowledge that it might not be as benevolent as it seems. They didn't have any problem asking for millions of dollars for bullets but let odot do this. Like you said, commissioner Fritz, I was really concerned about where are the enforcement patrols? Are they logging different neighborhoods with high increased risk for traffic and how are those things tracked so where if there's a pattern of racial discrimination it could be established and addressed and

April 26-27, 2017

I can think of a million things that odot can do with their money instead of funding police overtime.

Wheeler: Thank you. Appreciate it. Was there any further public testimony?

Moore-Love: That's all that signed up.

Wheeler: Commissioners, any further discussion? Please call the roll.

Fish: Aye.

Saltzman: Well, I want to thank sergeant engstrom and the traffic decision for the good work they are doing and high crash corridors, know no boundaries in the city. They are everywhere. I particularly appreciate the attention to outer southeast division and working closely with the bureau of transportation on making vision zero, zero traffic fatalities or serious crashes a reality. Thank you. Aye.

Fritz: Obviously very committed to vision zero and getting extra money for extra enforcement is very important to me I believe I haven't read the latest assessment from the compliance officer on the department of justice settlement but the previous one there was concern about the tracking system that the police bureau's implementing and how that's going for individual officers. That is under way. I find it interesting that many of the test fires consistently referred to officers as he. When I was reading through the item pulled there was no reference to the gender of the police officer was. We don't have as many female officers as men but we do have some absolutely fantastic female officers. Want to point out there's all kinds of people that we're trying to recruit and attract to our police bureau to help the bureau reflect more about the people that they -- the community they serve. Aye

Wheeler: Point of privilege. Could I have the gentleman come back up?

Engstrom: I just wanted to clarify a couple things concerns that were brought up briefly, they were asked about what areas that we were patrolling. It's not based on crime statistics but on crash data. So streets such as division and Powell and glisan and stark and Burnside as well as all the major freeways within the city limits, i-5, 205, i-84, as well as Lombard and barbur and so it goes around the whole city. It's just major crash corridors so hopefully that clarified that.

Fritz: Are they all state highways or does any of this money go to patrol streets that are not a state highway?

Engstrom: Let me think. Which ones are actually -- stark and glisan and Burnside. It's based on crash data. Some are dual purpose. They are city streets but also a public highway. But not all of them are.

Fritz: Thank you.

Engstrom: Some are. Some aren't. As far as sleep deprivation captain krebs has already started conversations with other agencies on what they do. So we're working on that. Then what we're looking for in the grant obviously this is a speed grant but the steps that I'm tracking personally for the data sheets they have to turn in are speed, cell phone use, no seatbelt, fail to yield right of way. Some things that are dangerous behaviors and we have another category where if they wrote tickets for equipment violations or license violations, things like that they fall into that category. You asked about quotas or anything like that. There wasn't a specific quota number of tickets but we encourage them to try to contact at least three people per hour. It's up to them whether they do tickets or warnings or whatever.

Fritz: Very helpful.

Wheeler: Thanks, sergeant.

Wheeler: Aye. The ordinance is adopted. Thank you for coming in. Next item, please.

Item 416.

April 26-27, 2017

Wheeler: This has been carried over. We took public testimony last week on this item. The final draft has been amended per the testimony we received, so as you will see the police chief requires the approval of the mayor in order to consummate any lease agreement.

Fritz: May I offer a friendly amendment to that amendment? That it is the commissioner charge of police cause there have been occasions where that has not been the case.

Wheeler: That would be fine. That's implied. Does anyone have any objection? We'll scrivener out mayor and put commissioner in charge. That's fine. Good. Call the roll.

Fish: Aye. **Saltzman:** Aye.

Fritz: I appreciate I got many of my questions answered want to continue to make sure we have transparency and accountability around policies related to undercover criminal investigations and undercover efforts that that's not what is before us today. Aye.

Wheeler: Aye. The item is adopted. Thank you. I have had a request from bureaus that we read 417 and 418 together. We'll vote separately but read on them together and take testimony together. They are very similar.

Item 417.

Item 418.

Wheeler: Good afternoon.

Christine Moody, Procurement Services: Good afternoon. Christine moody procurement services. City bureaus use the cayenta customer services information billing system. The city has had the cayenta billing system since 2006 and is used to provide automated billing and customer support for water, sewer and leaf collection services. As allowed for the city code 5.33 the city may directly enter into a contract for information technology hardware or software maintenance without a competitive solicitation where maintenance is provided by the current provider to utilize preexisting knowledge of that vendor regarding specifics of the hardware or software system. N Harris computer corporation is the sole provider of maintenance services for the cayenta system. You have two procurement reports recommending authorization of a five-year contract with n. Harris commuter corporation not to exceed \$1,800,000 for maintenance services and a separate five-year contract in the amount of \$700,000 for on-call services for any customization to the system that might be needed. I'll turn that back to council. If you have any questions, Becky is here to answer questions you might have about the contract or the billing system.

Fritz: The mayor asked me to handle the gavel are there any questions colleagues?

Saltzman: I thought when we got cayenta one of the goals was not to customize it. That got us into problems with our previous billing system. Are we doing a lot of customization?

Becky Anicker, Revenue division: We continue with the monthly statements and then also –

Fritz: Sorry is your mic on?

Anicker: I'm sorry Becky Anicker I lead the business solutions team within the revenue division. The customizations of the past, monthly statements that we offer to our ratepayers and in addition we have upgrades that will fall underneath this professional technical and expert services agreement that will be upgraded to the software needed. We need additional technical expertise, intelligence service the for customized reporting, things of that nature in addition to analytics and development for implementing upgrades that keep us compatible and current within systems that we currently support.

Saltzman: Thank you.

Fritz: Is there any public testimony on these items.

Moore-Love: One person signed up. Star Stauffer.

Fritz: Since we're already past noon and we're only halfway through the agenda we're going down to two minutes, please.

Moore-Love: She left.

April 26-27, 2017

Fritz: We'll need to wait, the mayor had to step out for a second. We could move to 419, second reading. Nonemergency.

Item 419.

Fritz: Call the roll please.

Fish: Aye. **Saltzman:** Aye. **Fritz:** Aye.

Fritz: Thank you. Same on 420. Second reading.

Item 420.

Fritz: Vote, please.

Fish: Aye. **Saltzman:** Aye. **Fritz:** Aye.

Wheeler: Aye. Passed. Thanks.

Fritz: Which did we skip?

Moore-Love: Votes on 417 and 418.

Moore-Love: 417.

Fish: Aye. **Saltzman:** Aye. **Fritz:** Aye.

Wheeler: Aye. Passed.

Fritz: 418, vote only.

Fish: Aye. **Saltzman:** Aye. **Fritz:** Aye.

Wheeler: Aye. The ordinance is adopted.

Fritz: Back to 420 for the vote?

Moore-Love: 421.

Wheeler: I should leave more often. You guys are efficient.

Moore-Love: We voted on 420.

Wheeler: Very good. We're back to 421.

Fritz: I would like to say for 420 that I gave my aye vote in difference to the bureau of human resources decision honoring Anna Kanwit for her work.

Item 421.

Wheeler: Commissioner Fish.

Fish: We welcome bill Ryan, our chief engineer, for a presentation. This is marked for 15 minutes but I'm quite confident bill can bring it in well under 15 minutes. Council, you'll be asked to accept a report on the status of our lagoon reconstruction work. The triangle lagoon is part of the city's Columbia boulevard wastewater treatment plant and provides essential processing and storing of solids. It's been in service over 40 years with flexibility, redundancy making it one of the top operations of its type in the region. The bureau has been being reconstructed in a phased approach since 2002. In keeping with our commitment to transparency bill Ryan is here with an update. William?

Bill Ryan, Bureau of Environmental Services: Thank you, commissioner. Mayor, good morning, commissioners. We're waiting for a little circle that goes around and around, but I can go ahead and start if you don't mind. The lagoon project, the Columbia boulevard wastewater treatment plant, sludge lagoon, reconstruction was I'm here to report on. The lagoon is located just to the east or to the west of the Herron lakes golf club. It's north of the Columbia boulevard wastewater treatment plant in fact it's across the Columbia slough. It's a very important part of the treatment plant, and its part of the process at the treatment plant. Digested solids from the treatment plant are pumped across the slough to the lagoon and they are stored there until they can be pumped back to be trucked to eastern Oregon where they are used as fertilizer on the dry grasslands of eastern Oregon.

Fish: Do you have a printout of the power point?

Ryan: I do have an extra, yes.

Fish: Did you bring one for my colleagues?

Ryan: Yes.

Fish: For all of my colleagues?

April 26-27, 2017

Ryan: I'm sorry, I do not.

Fish: Mayor, this requires a power point. It's an informational update. I suggest we set this over. If we have a technology problem, let's come back and do that. Could we do that, bill? We can let's set this over and bring' back next week. I want either a handout or power point. You put a lot of work into it. If we're having a technology snafu let's put it over.

Wheeler: That's good. I would like to see the presentation.

Fish: Thank you, bill.

Wheeler: Next item, please.

Moore-Love: This one also had a power point. Did you want to continue this one?

Fish: This one -- who is here for 422? Is Kaitlin here? Mayor, can we set this over until 2:00?

Wheeler: We'll hold that until 2:00. Let me just -- we have a time certain at 2:00 and a time certain -- I'm sorry, yes, time certain at 2:00. A time certain at 3:00.

Fish: I have an excused absence at 3:30. So if it doesn't fit we'll just set it over.

Wheeler: Okay. Why don't we do that.

Wheeler: Unless they come in the next few minutes we still have one more regular agenda item. If they are here in the next few minutes --

Fish: Thank you.

Wheeler: Let's put it at the end of the agenda and see what happens.

Item 423.

Wheeler: Commissioner Saltzman.

Saltzman: I'm going to excuse myself. I was not here for the hearing and have not had a chance to review the record.

Wheeler: Very good. Thank you. Just to remind people we continued this item. We held this item over. We completed public testimony there are some conditions that have been attached and with all those caveats, there you go.

Paul Van Orden, Office of Neighborhood Involvement: Paul Van Oden city's noise control officer. You should have before you a memorandum I put together just to capture the four main points from our last hearing. I don't know that council has any other additions to those set of conditions. We may be in a position to move forward with items I captured from our last hearing.

Wheeler: Is any further discussion before I move this to second reading? We're getting a one--- okay. Well, we have a little time so go ahead. This is good stalling. Gives the team a chance to show up.

Van Orden: I think we're okay to move forward at this point. If we adopt those set of conditions and I will modify my approved variance to incorporate them and the variance will move forward with those conditions incorporated into the variance.

Wheeler: Any further council discussion?

Fish: I want to thank Mr. Van orden for his work and for guiding us through this process. My sense out of the last hearing is that nobody loved our solution which may mean it was a kind of a workable compromise. Thank you for your work and thanks to the members of the public who came and testified on this. I think this is better. I am very concerned about expanding hours of operation on the weekend. It is the one time where I think people either for reasons of faith or just to catch up on their sleep or whatever deserve a little more peace and quiet. My sense is that we ought to try to protect the boundaries on Saturday and Sunday while also helping construction companies getting hammered by all the rain days to get the work done. Hopefully this is a workable compromise. Aye. I support it.

Wheeler: We're moving this to second reading. We're not actually taking a vote. We're going to move it to second. We continued. We took our testimony. We've incorporated the conditions. We'll move it to second and we'll vote on it --

April 26-27, 2017

Linly Rees, Deputy City Attorney: I'm thinking this is more akin to a land use -- you would have a motion that would say we adopt the noise variance as amended by the --

Wheeler: I move the noise variance as amended with conditions.

Wheeler: We have a motion and second to most noise variance as amended. Please call the roll.

Fish: Thank you, Paul van orden, for your work. I appreciate the hearings. My sense that is no one loves this compromise which maybe means that we hit the middle ground. I personally have concerns about extending hours for construction on the weekend because I think that's the one-time people deserve to catch up on their sleep. Aye.

Fritz: Thank you, especially to Mary sipe, who has been following the noise issue and other issues for a long time. I appreciate your guidance. I do think under commissioner Fish's leadership we got to a good compromise. Aye.

Wheeler: Everybody hates it. That's got to mean it's a good compromise. I support this. Thank you for your diligent work on this particularly over the last week. I know you have been scrambling. The hearing is concluded. The ordinance is adopted. Just for clarification purposes for those who would like to hear item 422, the city safe salmon certification, that has been moved to 2:00 p.m. This afternoon. Item 421 regarding the Columbia wastewater treatment plant lagoon reconstruction project has been moved to next week. With that we're adjourned.

At 12:21 p.m. council recessed.

April 26-27, 2017
Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

Key: ***** means unidentified speaker.

APRIL 26, 2017 2:00 PM

Wheeler: Thank you. We have one item that was carried over from this morning. It will just take us a moment. I'm going to ask the clerk to call the roll and then I'll read a script regarding commissioner Eudaly who's joining us on the phone. First if you could just call the roll.

[roll call taken]

Wheeler: Commissioner Eudaly is home with a sick child. Her failure to participate in today's council session would jeopardize the public interest, health, safety or welfare. Am I reading this correctly? Huh. Okay. Therefore, unless there's objection by my member of the council commissioner Eudaly will participate by teleconference. Is there is in objection? No objection. Very good we have completed that script. Please call the roll. **[roll call taken]**

Wheeler: I'm sorry, commissioner Eudaly, I hope you're smiling from afar. Item 422. Could you call the item, please?

Item 422.

Wheeler: Commissioner Fish.

Fish: Mayor in honor of earth week the bureau of environmental services has brought forth two different items. One recently when we so the support of council to turn methane gas into clean energy, triple wind for the city, our environment, our ratepayers. We're proud of that. Today is the second installment of our earth day story. It's about the city salmon safe certification and our role in it. Portland is home to more endangered species than any other u.s. City. When Kaitlin said that to me I had repeat it a few times to let it sink in. We're home to more endangered species than any other u.s. City. This includes 13 different species of salmon. When she said it the first thing I thought, shame on us. Then I realized we're home to endangered species there's something about our habitat that's welcoming. Last year Portland was the first city in the world to receive a salmon safe certification. This is a multi-year multi-bureau effort and required a lot of hard work from many teams across the city. The work that bes has done to achieve certification has received national and local acclaim. The Johnson creek flood plain restoration project, crystal springs restoration, mason flats wet land in Columbia slough to name a few. All these help make our city safer for Fish and for people. That's why I'm asking the bureau of environmental services to build on our work and reconvene the multi-bureau team that collaborated during the salmon safe review process to explore a more formal city-wide program to designate the best of the best rivers and streams as urban salmon sanctuaries. To bring a full proposal back to council this fall. More immediately, the reason we're here today is to approve an ordinance improving the effectiveness of our ongoing restoration efforts across all watersheds and implement some of the recommendations that came out of the safe review process. Here to join us is Kaitlin Lovell, science division manager for bes, and her team to walk us through this presentation. Welcome.

Kaitlin Lovell, Bureau of Environmental Services: Thank you. Good afternoon, thank you for squeezing us in. I brought with me Melissa brown, my senior fish biologist, who's in charge of coordinating the bureaus implementation of the salmon safe conditions and Rhonda fast, who is here to highlight the most visible salmon project. A little background, on June 5, 2013, mayor haes pledged Portland will would be the first certified salmon safe

April 26-27, 2017

city in the world. Salmon safe is an independent nonprofit organization headquartered in Portland that has become a leading eco-label dedicated to the preservation of Pacific Northwest salmon and water health. Portland Parks has been certified Salmon Safe since 2004. The Mayor's pledge called on BES, Water Bureau, PBOT, OMF and Fire to also become Salmon Safe certified. Over two years the team from Salmon Safe and their independent scientists reviewed all of the Bureau's operations against their criteria. Salmon Safe officially presented their conditional certification on October 6, 2016. The certification included many recommendations in the form of conditions in order for us to maintain the certification over the next five years. There are actually four cross-bureau conditions that apply to all of the bureaus and each bureau has their own set of conditions. For BES specifically we have eight conditions. We're well on our way to implementing and responding to all of them but today we're here specifically to talk about BES condition 5. The results of this review were not surprising at all. BES is doing great things for salmon but there are some areas for improvement. Condition 5 directs BES to commission an independent evaluation of recently completed restoration projects by a team of outside experts in restoration ecology and related fields and it goes on to further describe how to do that. Condition 5 is the only condition that we need outside assistance to satisfy and at this time all other conditions are being addressed with internal staff and existing budgets. In selecting this methodology, we wanted something peer reviewed, widely accepted and durable but we didn't want it to just work for Salmon Safe. We needed to look to serve multiple bureau needs so the objectives included meeting multiple bureau objectives and leveraging with our storm water systems planning our watershed systems capital investment we also looked for a program that was cost effective and relatively within existing bureau budget. We landed on Eco-System Diagnosis and Treatment a proprietary model owned by ICF Jones and Stokes International. We have used EDT in the past as has the Water Bureau. They are using it for their Bull Run habitat conservation plan. Because when we issued a prior RFP it resulted in one response, procurement directed us to issue this as a direct contract. So that's all sort of jargon and contract speak. I wanted to really explain how this will make a difference on the ground. In the Salmon Safe report, they commended BES for impressive progress along Johnson Creek, Crystal Springs and other city waterways with many major projects completed in recent years. We can look at those individually. What EDT will allow us to do is to provide the tools to really quantify the cumulative effect on all of those projects on the landscape itself. And on the salmon. I'm going to turn over to Rhonda to show you how impressive this all has been. Crystal Springs highlights the power of the work and the value that EDT will bring to our project as we move forward.

Melissa Brown, Bureau of Environmental Services: Like Kaitlin said one area we will be particularly interested in the results of the EDT analysis will be Crystal Springs Creek where since 2010 BES and numerous partners too many to name here made targeted investments in restoring nearly half the entire length of Crystal Springs in 2010. First to orient you Crystal Springs Creek is a tributary to Johnson Creek and the Sellwood neighborhood flowing from springs from Reed College to East Moreland Golf Course, Crystal Springs, there's no fish passage barriers between it and the Pacific Ocean. Salmon seek refuge here when the Willamette is too warm or during higher flows. But Crystal Springs faced three primary problems which I'll talk about a little bit today and how we tackled those problems. Beginning in 2010, we began an effort with numerous partners to replace or remove all nine under-sized culverts that impeded fish passage including one owned by Union Pacific Railroad. Eight culverts were publicly owned but this one that we celebrated in 2013 was the only one not in public control it was the one that could've gotten away, but didn't. So one that could have gotten away but didn't. The Brennan property, this site looks

April 26-27, 2017

very different today than it once did. It used to have a triplex and the property owner sold the property to us for purposes of doing restoration. We removed a culvert on this site entirely and restored it to its current function today. The other challenge that crystal springs faced is water quality. Especially in regard to temperature. Storm water related pollution. Here in the upper part Westmoreland park the old large, shallow, open body of water, the former duck pond, contributed nearly six degrees Fahrenheit especially in summer months and elevated nutrient levels contributed to stream health and public health concerns here. In some areas the storm water flowed directly into the creek picking up pollutants with it. We worked to give the stream more room and we in those situations we installed riparian buffers, green streets and pervious pavement to manage storm water more effectively. Crystal springs suffers from lack of habitat. In many locations concrete curbing, along the stream, prevents connection between the stream and surrounding flood plain and so improvements were made, targeted improvements were made over eight years in crystal springs along nearly half the length of the stream. Salmon responded right away during the salmon celebration at Westmoreland park here during 2014 salmon celebration salmon were present in the park as we celebrated. It's a testament to if you build it, they will come. We're excited to see the results of evaluating the work and seeing what changes we would need to possibly make in design for the future projects. The contract, the total contract is \$240,000. It's phased over three fiscal years and divided up into seven discrete tasks which will get started immediately. At this point we're confident that edt will give us many good reasons to celebrate and we're really excited about commissioner Fish's charge to bes to reconvene the salmon safe team explore the idea of establishing a salmon urban sanctuary in the city. We look forward to returning in the fall for your full consideration. At this point we welcome your questions.

Wheeler: I will just say I think this is fantastic. I want to thank you, commissioner Fish, for taking up the mantle of this. I thank my predecessor, mayor haes, who saw the value in this vision, and I think it's terrific.

Fish: Couple of observations, one some of the best work we did in partnership with Portland parks and rec, and when they did the dedication at crystal springs we were there with the army corps of engineers, bes, parks and others. It was an example of where partnership taken to a new level can result in something great. Second thing is I am spoiled in bes because of the quality of the people who work at the bureau. Dan knows this. We just have tremendous people. These are some of the best people who work at the bureau. Kaitlin has really pushed some of our work to the next level, which is why mike Houck invites her, not me, when they do tours of these places which is a smart move. The other thing I want to point out is sometimes people ask, why the focus on salmon and how does that relate to our work. I think she said it best. When salmon are healthy, it's a pretty good indicator of the health of people. If we become a city that really puts the salmon front and center, I know spencer Beebe will be pleased to hear this, but if we fly that flag throughout our platforms were building a city and restoring nature in the city so that it is a healthier place for people. Along the way, when we do this work we also think it's a good value for ratepayers. Because we are heavily regulated bureau that has lots of permits and lots of concerns. Now that salmon have come back to these places and can be seen spawning and healthy, it's remarkable. If I could be king for a day, though, I would expand the bike infrastructure on the orange line so once you hit McAdam it doesn't become sort of a catch as catch can through the neighborhood. It would make this crystal springs more accessible to the rest of the city. I hope at some point they do build out the bike infrastructure along the orange line because that's the missing piece to bring people. I just want to say I'm incredibly proud of their work. It has very little to do with my leadership and a lot to do with the leadership of the women here today.

April 26-27, 2017

Wheeler: I did have a question. Obviously, this spring flows through all kinds of properties. Public and private. What sort of reaction are you getting from private sector property owners to some of the improvements you're making along the banks immediately adjacent to private property and what kind of process do you go through to get their support?

Brown: We work with private property owners up and down the stream. We have had to secure easements for projects so over all the measure of our success is whether or not they grant us permission to do the work on their property is one measure. They have granted that permission to us willingly. We have relationships with most all of the property owners along crystal springs creek. Much of the creek is publicly owned but sections are privately owned and we work with them. We connect them to resources if we can't provide those resources with the watershed council, crystal springs partnership. We try to be a connector. If we can't provide resources directly we connect them to people who can and we always try to form positive relationships with folks along because they have a resource in their backyard that we hope they will take care of for the good of all.

Wheeler: What is the source of crystal springs obviously it's a spring, but where is the source?

Lovell: There's a number of different springs. They start at reed college, there one of the best, most sustainably oriented landowners, riparian landowners, on the creek. The other is the rhododendron which is owned by Portland park. Those two wings of the creek come together in the east Moreland golf course.

Wheeler: So as a salmon habitat I assume based on your presentation and the minimal amount that I know about springs, it's actually fairly cold water would be my guess, and consistently so. Is that one of the attractive features from the perspective of salmon habitat?

Lovell: That's the primary attract and the at this point. Springs come out of the ground at about 12 degrees Celsius. We would like to keep them by the time it gets to Johnson creek we want it to be no higher than 18 degrees Celsius, no more than six degrees through that. We're well on our way. There are still some heat sources we need to take care of through the system but doing these kinds of projects, taking out the ponds, riparian plantings, we have reduced stream temperature by over three degrees Celsius just by these projects alone. By comparison on some of the major creeks and streams where utilities for example, hydropower dams have to also worry about temperature, pge estimates they spend about \$1 million per degree just to reduce temperature and we're able to do it and achieve these other multiple benefits as well. It's one of the primary activities called out in climate change so this is helping us as a city.

Fish: We're in the process of completing our next strategic plan. Working with the community. You'll hear three consistent themes going forward. One is this idea of urban salmon sanctuaries. You'll get a major presentation in the fall but it's an organizing principle which we think will change the way we do our work. Two you'll hear how we take waste and turn it into clean energy and produce value for ratepayers. Number 3 -- why am I blanking on number 3? Oh, I am blanking on number 3. Those two are pretty good. [laughter] I know. Number 3 is director Jordan thinks that with your support, mayor, and the council support over the next ten years we can get to a point where the bureau becomes the first fully sustainable infrastructure bureau of the city which means we have caught up all of our infrastructure is in good or better condition and we're paying as we go.

Wheeler: Music to my ears.

Fish: Which is largely attributed to a dedicated revenue source which pbot does not have but would I think set a standard for how we maintain our infrastructure.

Wheeler: That's great. Commissioner Fritz?

April 26-27, 2017

Fritz: I found it interesting that parks got certification 10 years ago yet some of these projects are in parks then you mentioned crystal springs still has some hot spots to go. Am I correct in deducing you get to the salmon safe level but there are things you can do to make it even better?

Lovell: Absolutely. Salmon safe just looked at our day-to-day operations as different bureaus. For parks it's how they plan their parks, their riparian area, what chemicals, irrigation, those kinds of things. Same with bes, it's how we manage storm water, dealing with erosion, how we process restoration projects through our internal capitalization policies and prioritizations. So that gets us to a certain level but there's always more that we can do and there are always opportunities when we bring together the right partners we'll present themselves that we ourselves couldn't do through day-to-day operations.

Wheeler: Commissioner Fritz?

Fritz: I suspect there are not many cities in the nation who have golf courses which are salmon safe.

Lovell: I believe New York was looking after that and we have since the city become salmon safe certified we have gotten a surprising number of calls from small cities in Washington to cities in California investigating how we were able to do it. I think there's a lot of interest.

Fritz: One of the big concerns I get from constituents on parks issues is the use of selected things like reunification and we do have an integrated pest management system that release the least toxic levels to maintain so that's still in salmon safe. We're doing a pilot on the banning of neonicotinoids. Are the roses still able to fight off the rose midge. I think it's a helpful reminder you get to a certain level and see how you can make things even better. Thank you for your work on this.

Wheeler: Commissioner Eudaly, did you have any comments?

Eudaly: I'm good.

Wheeler: Atlantis any public testimony on this item in.

Moore-Love: Star had signed up, but I believe she left.

Wheeler: Very good. Any further conversation? If none this is a nonemergency first reading it moves to second reading.

Fish: Excuse me. Mayor, there is some urgency in concluding this contract, and it does technically meet the definition of slapping an emergency clause on with my colleagues' dispensation.

Fritz: I'm happy to second that. State for the record what's the reason for adding the emergency.

Lovell: The emergency is twofold. One is to be able to start this work during this fiscal year to get a jump-start. The other to be able to use some of the initial results to inform this urban salmon sanctuary proposal that we want to bring back in the fall.

Fritz: In other words, saving the planet doesn't wait.

Wheeler: Any further discussion on the motion? Please call the roll on the amendment.

Fish: Aye. **Saltzman:** Aye. **Fritz:** Aye. **Eudaly:** Aye.

Wheeler: Aye. Now to the main motion. Any further discussion? Please call the roll.

Fish: I'm very proud to support this. I'm extremely grateful for the high quality of the work of the leadership of my bureau and I think Kaitlin consistently brings distinction to our bureau as do all of her colleagues. I thank you for your presentation, your good work, and I'm pleased to vote aye.

Saltzman: Thank you for your great work. Thanks, commissioner Fish, for leading this effort. Very exciting where you're taking our city. Thank you. On behalf of me and all the salmon. Aye.

Eudaly: Aye.

April 26-27, 2017

Fritz: I can quite see why you wanted to wait for the power point. The photographs really do say a lot about it. I'm also glad we made it an emergency so we can tell you now that we very much appreciate your work doing. Please keep doing it even more. Aye.

Wheeler: Good ordinance. Thank you, commissioner. Thank you, staff, for your hard work on this. I'm an aye. The ordinance is adopted as amended. Next item, please.

Item 424.

Wheeler: Good afternoon. While you're getting situated I want to call to the attention of my colleagues you have the proposed amendment sheet in front of you that has everything from the Tuesday memo that you received based on conversations we had last week. Commissioner Fritz has an amendment she would also like to add, so before we get started, commissioner, if you wanted to add what we'll call Fritz amendment number 2.

Fritz: Number two is a correction in the bump for pk-17 on page 238 of the packet. The \$300,000 in previous year funding for east Portland master plan was incorrectly titled with here specific park plans what we actually did was we were able to squeeze four park plans out of the three by combining two of them. Council is getting more value for the money that we expended and since there has been more work we're asking to carry the remaining \$40,000 over for continuing to plan the division 150th avenue sites well as brooks, and miller, and midland.

Fish: I'll second the amendment.

Wheeler: We have a motion from commissioner fritz and a second from commissioner Fish. We now have just to make sure we're clear we have the mayor amendments are 1, 2, 3, 4 amendments and I'll have cbo go through each in turn to explain the purpose of those amendments. Commissioner Eudaly has offered up one amendment regarding the Portland united against hate commissioner Fritz had previously put in her Portland parks and recreation fund 402 amendment. She's now put in her second amendment. I believe that is the total of the amendments so far. Is that correct? I don't think anyone has any more to put in today but have I missed anything?

Fritz: I might like to discuss it later. I wanted to clarify this technical language on the amendment. Do you need me to read that into the record? Reduce bureau program expenses in Portland parks and recreation general fun by \$40,000 for master planning for an east Portland park that's for this year and set aside funds for program carry over and allocation in the financial year 2017 to '18 budget. Funding for several east Portland park master plan was originally allocated in the fall financial year 2014-15 supplemental budget and due to efficient use of resources the bureau is able to complete planning for an additional park within the originally allocated resources and this updates exhibits 1 through 5 as needed to reflect this change.

Wheeler: Director Scott I'll turn this over to you, but at some point during your presentation if you could please reference the four amendments I have put forward on behalf of the cbo.

Andrew Scott, Director, City Budget Office: I will do so thank you afternoon Andrew Scott, city budget director. This is Jessica Bernard the city supplement budget coordinator. We had a work session on the spring budget supplemental last Thursday April 20 where we went through details in the bump. I won't rehash a lot of those but for folks today I'll recap at a high level what's before you in the spring budget supplemental. The spring budget supplemental is when bureaus do carryovers, when they do some true ups in the budget, we allocate bureau set aside to ensure bureaus have sufficient resources to get through the end of the year. Currently in the general fund there is discretionary contingency balance of about \$4.7 million including \$3.1 million compensation set-aside and \$1.1 million of unrestricted contingency. The supplemental budget before you today prior to the amendments includes the following changes to contingency. These are also listed on the general fund reconciliation report in your material. It includes \$2.2 million draw

April 26-27, 2017

on compensation set aside for the office of equity and human rights, office of neighborhood involvement, fire, Portland fire bureau, police bureau and the mayor's office. In addition, it includes \$154,452 net draw on unrestricted contingency. This is for requests that include funding related to Portland building emergency shelter, about \$29,000. \$12,000 in funding for the auditor's office to complete the political consultant online application. \$50,000 pre-allocated by council for the metropolitan public defender's office in a previous council action. This adjustment also includes retention of \$200,000 that was budgeted to be returned to the general fund from hydro fund but it will be kept in the hydro fund mostly offset by a return from the bureau of emergency communications for prior year under-spending. Finally, the supplemental budget includes \$5.2 million deposited into contingency for program carry-overs rebudgeted in 2017-18. All are pre-amendment totals in terms of what was filed. With those things contingency balance after these items there would be unrestricted contingency just over \$900,000, compensation set aside \$950,000 and I mentioned that policy set-aside for next year carry-over \$5.2 million. Outside of the general fund or just in general throughout the bureaus' position changes there's one new limited term position and 29 regular positions being added in the supplemental budget. 24 are in bureau of development services to deal with workload there and get moving as quickly as they can to process permits and other things. It does convert nine limited term positions to regular and eliminates five in the parks bureau. Over all I won't go through a lot of the nongeneral fund bureaus. There's a lot of just technical moves within this budget supplemental but it's worth noting permit planning and system development charge revenues continue to be strong in several bureaus which again is allowing some of the positions to be funded. Then two other just technical issues of note, there are two technical additions in this supplemental budget. The authorization of housing capital fund is being undertaken by council today. That fund will be used to budget affordable housing capital project spending largely related to the recently passed general obligation bond and finally a formal acquisition in accordance with the 2001 policy, I think there were three vehicles purchased on behalf of trimet that didn't meet that 2001 policy we're just correcting that as a technical issue today. Moving on to the amendments that are in front of you I'll talk briefly about the amendments from the mayor's office. There are four of them. Two of these amendments relate to budgeted debt service funds in the current year that are not needed in the current year. What these do is they request the funds to be carried over and budgeted to fund one time priorities in the fiscal year 2017-18 budget. One is debt service related to fuel stations. Council authorized new fuel stations couple of years ago they just have an issued the debt service yet. Those projects are moving forward on schedule as far as I know they didn't need the funding this year it can be used for next year's priorities. Then the second was related to the Portland building and some of the debt service related to that and in terms of timing when that will be issued. The full amount was not needed so that can be returned and rebudgeted. Then we are capturing as I mentioned of those remaining totals there would be about \$950,000 of compensation set-aside after the actions taken. The third amendment would transfer \$587,000 of that compensation set-aside funding to rebudget in 2017-18. Then the fourth amendment from the mayor reduces program expenses in the housing bureau for east Portland rental rehabilitation program and carries it over for next year. This wasn't included in the request but it's a program carry-over. They didn't move forward in terms of getting the money out the door this year. Carrying that funding over to do the rental rehabilitation program in next year's budget. I can talk through the others as well. In terms of commissioner Eudaly has an amendment, this would increase program expenses and special appropriations by \$40,000 to fund program design and start-up for the Portland united against hate funding would draw on 40,000 would come out of general fund unrestricted contingency. This is in next year's

April 26-27, 2017

budget as well, the request, but the office of neighborhood involvement wanted to get moving and would like \$40,000 to get started on that in the current fiscal year. Commissioner Fritz, happy to go through your amendment. What this does is it increases expenses within parks and recreation by \$300,000, also coming out of that unrestricted contingency, to address immediate facility and equipment needs related to health and environmental issues. That has to do with recently discovered environmental issues in some of parks' facilities. I'm happy to take any questions on the bump.

Wheeler: Commissioner Fritz, did you want to explain Fritz number 2.

Fritz: I thought I did.

Fish: Andrew, would you like to describe Fritz 2 as you understand it?

Scott: I think actually commissioner Fritz did in terms of reading the language. It would currently parks is requesting \$300

Fritz: It's the 40,000 we already got 300. We haven't quite spent it all and we want to carry the remaining --

Wheeler: This is just a carry-over.

Scott: Correct, \$210,000 is the request it currently is \$170,000 and so his would amend this to increase it by \$40,000 to the \$210,000 request to the east Portland parks plan.

Fritz: Thank you.

Fish: Andrew is it fair to say since you're the independent budget office that none of these requests raise any flags for you, these are simply policy questions that the council gets to decide?

Scott: Yes.

Fritz: Can I ask some questions about the only carry-over for commissioner Saltzman is not here. I'll wait until he comes back. I would like him to be part of this discussion.

Fish: He may not be back for a while.

Fritz: Okay.

Fish: His chief called.

Wheeler: Well we've got nothing but time because the next item is a time certain. 3:00.

Fish: Why don't we take public testimony and come back to questions.

Wheeler: Good idea. How many people do we have signed up?

Moore-Love: We have one person.

Fish: Under the circumstances we will cut this to one minute. [laughter]

Fish: Mr. Warman as you know is co-chair of the Portland utility board. I'm not sure how he retains his day job with all the time help volunteers providing oversight to our public utilities and we're very grateful for your service.

Wheeler: Because right now he's traveling on business and you just outed him. Good afternoon sir.

Allan Warman: Good afternoon, mayor, commissioners. I'm Allan Warman as you just introduced me. I'm the co-chair. In 2015 this body, the Portland utility board, was created primarily because of the water bureau's long term planning process including the 25-year system plan, five-year capital improvement plan budgets, annual budgets, rate setting processes, debt requirements required an engaged, well informed and year round oversight body. The public was charged with advising this council on the bureau's budgets and I'm here today in that capacity. The public budget subcommittee met two weeks ago to consider the spring bump. Their submissions from both bureaus and cbo's recommendations. Board members were generally supportive of the request and had conversations specifically about two components. First, the water bureau is requesting moving forward the authorization and funding of two new ftes that were requested in the fiscal year 2017-18 budget process. These specific ftes are the pollution prevention and the spill protection ftes. Supportive of these two positions and we believe moving the request to the bump

April 26-27, 2017

allows the bureau to get a jump-start on the h.r. Process here at the city. Both positions will need staff support for program areas in the bureaus that are experiencing increased customer involvement and demands for services. Support them. In general, the pub has concerns about the bureau adding full-time staff through the bump process because the pub feels these discussions are best had during the annual comprehensive budget considerations with public vetting. However, these two positions did go through the process and pub supports the authorization and funding of them. The second, the water bureau request includes decrease in transfers to the general fund relating to hydro power. There is a lot of uncertainty as the bureau works through the process of setting up new sales and a new operating and maintenance agreement this summer. Pub members encouraged the water bureau to proactively think about risks, setting a policy for a new reserve fund, and the pub will actively monitor this process through the summer. That's the end. Thank you.

Fish: To be clear a reserve fund in connection with the hydro power business.

Warman: That's correct.

Fish: I think that's a splendid idea. The next chapter of our hydro power business is going to require a lot of complication with the pub to figure that out.

Wheeler: I want to again extend my thanks to you and to your colleagues for their volunteer service and their diligent evaluation both of the bump as well as the work that we have been doing together on the full '17-18 budget requests. Thank you for that.

Moore-Love: Commissioner Saltzman is going to be a few more minutes they said.

Fish: Should we vote on the amendment?

Wheeler: Why don't we do that and hold off on the Eudaly amendment.

Fritz: I'm fine with the Eudaly amendment. The Eudaly amendment is only for the Portland united against hate and I certainly support that.

Wheeler: Very good.

Fish: Let's do the ones we agree to.

Wheeler: Why don't we start with the amendments. 1, 2, 3 and 4, in order. Can I get a -- the amendments are on the table? Can you please call the roll on wheeler 1? That would be basically the first bullet point under the mayor's -- they are already read into the record.

Moore-Love: I don't have anyone moving our second. I have them on the Fritz amendment moving and seconding but the memo I don't have.

Wheeler: We still have to move them altogether. I will quickly move wheeler 1, 2, 3 and 4 per the memo. Do I need to read them into the record?

Fritz: Second.

Wheeler: They are already part of the record. Perfect. Good. Then we already have is commissioner eudaly's in the record yet?

Fish: Yes.

*******:** I think they have all been read into the record.

Wheeler: We have motions and seconds for wheeler 1,2,3, and 4. Please call the roll on wheeler 1.

Fish: I want to note for the record the predicament that the mayor's amendments have put his colleagues. He's proposed an amendment. Tomorrow he takes all the bureaus and Monday he issues his proposed budget. I have had to think long and hard whether to vote no on this but since it's so utterly straightforward I'll support it. [laughter] aye.

Eudaly: Aye.

Fritz: Appreciate the attention to detail. Aye.

Wheeler: Aye. The amendment is adopted. Wheeler 2, please call the roll.

Fish: Aye. **Eudaly:** Aye. **Fritz:** Aye.

Wheeler: Aye. The amendment is adopted. Wheeler 3. Please call the roll.

April 26-27, 2017

Fish: Aye. **Eudaly:** Aye. **Fritz:** Aye.

Wheeler: Aye. The amendment is adopted. Wheeler number 4, please call the roll.

Fish: Aye. **Eudaly:** Aye. **Fritz:** Aye.

Wheeler: Aye. The amendment is adopted. Eudaly amendment number 1, please call the roll.

Fish: Colleagues, I just want to say I think this concept of Portland united against hate that was presented to us during the budget is very promising and I'm pleased that we're voting to get a head start on implementing this worthy program. Aye.

Eudaly: Thank you, commissioner Fish, for your support. I'm also anxious to get started because I'm sure as all of you have heard we have had another incident over the weekend, and we need to get this rolling. Aye.

Fritz: I'm very proud to have been in charge of office of neighborhood involvement when this movement got going and to be a partner in its formation. Obviously I support this and I'll support the other request in the budget. Aye.

Wheeler: Aye. The amendment is adopted. Fritz number 1, please call the roll.

Fritz: Hang on just a second.

Wheeler: We never got a second?

Fish: Second.

Wheeler: Commissioner Fish seconds and votes.

Fish: Any reason we should turn this down? The witness is shaking his head. This is money to do emergency work in public facilities where children are at risk to exposure of things like asbestos.

Wheeler: It's now been moved and seconded. Please call the roll on Fritz 1.

Fish: Aye. **Eudaly:** Aye. **Fritz:** Aye.

Wheeler: Aye. Fritz number 1 is adopted. Fritz number 2, has that been seconded?

Fish: Second.

Wheeler: Commissioner Fish seconds that. Please call the roll on Fritz number 2.

Fish: Aye. **Eudaly:** Aye. **Fritz:** Aye.

Wheeler: Aye. Fritz number 2 is adopted. So back to the main motion, it sounds like the only thing holding us up is a question that commissioner Fritz has.

Fritz: It's to address a concern commissioner Saltzman raised during last year's budget process where we had a very narrow 3-2 vote that commissioner Fish and mayor Hales joined me to allocate \$250,000 to a project out of the office of neighborhood involvement budget committee to do outreach on housing and homeless services. Commissioner Saltzman voted against it saying that he was not confident that the money would go out to the community. I promised at the time .25 fte in the office of neighborhood involvement to administer the grant. That was the only staff time within the city that it would happen. Council directed the office of neighborhood involvement to return with a plan for council approval last October after engaging the housing bureau and joint office in the plan and council specifically approved that plan in October. The reasoning for the way it was planned and approved is allowing community groups to engage their own members. It's a very efficient and effective method of reaching members of the community often in their own language. Since the request has changed into two internal positions some of which seems primarily related to the work of joint office of homeless services, I'm wondering what council -- would have hoped commissioner Saltzman would have been part of this. What council is thinking on that, particularly, mayor, you're looking at the office create an office of landlord and tenant services and also representative to the joint office. How do these two proposed positions relate to all of that work?

Wheeler: I will defer to commissioner Eudaly.

April 26-27, 2017

Eudaly: One moment, please. So obviously I was not there when these decisions were made and I wasn't necessarily cognizant of the conversations that led up to this allocation. Coming into oni, in light of the auditor's report, the response to local media coverage on how the \$350,000 would be used, and sorry I'm trying to pull up some notes. I have three different documents right now. Three different devices right now. Slightly awkward not to be there. Thank you for phoning me in. The money was originally allocated for housing emergency community engagement project. In light of the audit and public response my office received media attention, and after speaking to mark dorn, neighborhood coalition directors, and others after taking over oni, you know, the recurring refrain was please don't reinvent the wheel. Don't duplicate efforts. We just felt that this would be a better use of the funds. I'm going to defer to my colleagues I guess to decide if that's acceptable given the terms that were set at the outset when I was not there. We are turning \$120,000 back to the general fund. We're trying to use these dollars to their absolute best potential, and I'm not -- building up grants to a variety of community groups to engage members in discussion about our homelessness issues is going to be effective or move not just the conversation forward but actual progress on the issue. So I can go into more detail about the positions that would be created. Certainly these positions would interact with the joint office, but they are not primarily there, just the joint office. They are there to serve as liaison between the city, joint office and the community, and to actually facilitate those conversations that we do want to see happen while providing some consistency and best practices across all of the conversation.

Wheeler: I could also if I can just chime in, commissioner, Eudaly, to buttress your argument, one potential, and I will obviously not dictate how these positions are deployed. That's not my decision. But one potential strategy that I can see based on the description is given the work we're currently doing with neighborhoods that are not necessarily directly connected in with the overall plan on the joint office, and we can have a discussion about the appropriate role of the joint office vis-a-vie the interests of the city of Portland, we have lots and lots of interactions with neighborhood associations, with community organizations, with people in the community around not only solutions to homelessness but also some manifestations of homelessness. Working with us to address abandoned campsites, working with us to address some of the issues around public health, public safety, environmental issues and I can just speak from my office we get tons and tons of calls related to those issues. I can see where perhaps these two liaison positions would be useful in working with the neighborhood associations and others to help address not only the communication but some of the real solutions on this front.

Eudaly: Agreed. Thank you.

Fritz: I'm assuming that's been discussed with mark jolin.

Wheeler: I have not had -- commissioner Eudaly has, correct.

Fritz: Commissioner Saltzman I'm glad you were able to get back you were the most concerned last year about the allocation of \$350,000 that was going to outreach and we agreed at council it would be .25 of an fte, the rest of it out to the community. That is now been changed and in the bump process to two positions within the city. I wanted to get your feedback if that's okay with you.

Saltzman: That sounds good. I listened a little bit to the discussion. I was meeting with the city attorney. I apologize. Sounds good to me.

Fritz: That answers my question. Thank you.

Wheeler: Very good.

Fish: Why is there this big photograph of commissioner Eudaly that looks almost like it's the photograph she uses when she's being interviewed for being a leading lady in a movie

April 26-27, 2017

and all of us are like little stick figures by comparison? I object to this grandstanding during a council meeting. [laughter]

Eudaly: Sorry-not sorry.

Wheeler: It definitely has a Brady bunch quality to it. [laughter]

Fish: I have a standing objection. The book you just published about your local government has a picture of me but it's actually Chris Warner. [laughter]

Eudaly: I have to clarify I did not publish that. But we do intend to release a series of similar booklets but some friends and acquaintances beat us to the punch on that one.

Wheeler: Very good. Commissioner Saltzman we have moved all of the amendments, they have been seconded, all been approved into the record so now this leads us to the question of the main motion. If there's no further discussion or questions of the budget office, I'll call the roll on the main motion. Very good.

Fish: Thank you, mayor and colleagues. This is a time of the debate where we get to thank the staff for their excellent work. A lot of the work we do at city hall is mysterious to people and when I go home and tell my name I'm working on the fall bump or the spring bump they will look at me like maybe intervention is necessary. We use these mystical terms that no one understands. Spring bump? What we're really doing is four times a year truing up our budget and making technical adjustments but we do it in this context. There's a lot more at stake than the public sees. A lot of this is done by staff and at the bureau level then what you see when we come to council is areas where there's a need for further discussion at the council level. So a lot of hard work brings us to this day. But one of the reasons that this city keeps getting awards for the way they do budgeting is the suburb quality of the staff of support we get in doing our budgeting and the two people before us here today are going to take a bow on behalf of their team for the work that they do. It's not as easy as it looks but you make it easy the way you guide us through these processes and most often bring us to a point where there's broad consensus. Thank you for your fine work. Very pleased to support the bump. Aye.

Saltzman: Thank you for your work. Aye.

Eudaly: Aye.

Fritz: Mayor, particularly appreciate you moving this to the afternoon so we could have a robust discussion. We're sometimes accused of rubber stamping things or sweeping things under the carpet. I think this process shows that we don't. Also that we have a sense of what the budget office recommends we are happy to accept their resignation -- not resignation. Sorry. [laughter] recommendations. The amendments put forward all showed great thought particularly the two late-breaking ones. I appreciate the support for Portland united against hate, but also the emergency house safety and environment request coming in from parks thank you for all your work. Aye.

Wheeler: All add my thanks. I really enjoyed the work session we had last week and I appreciate the conversations we have had and your patience in going through this document line by line and I have also appreciated working with this team on the proposed budget which we will be releasing soon. Lot of work went into this. I want to thank my colleagues. These are really thoughtful amendments. I'm appreciative of the work you and your teams have put into this. I'm also just going to say I'm really happy that the bump is a bump in the right direction. I'm mindful of the fact that it is not always thus. So thank you for your good advice as far as what we should be looking at in this particular budget cycle with regard to the bump and what we should be moving over to carry forward into the next fiscal year. So with that I vote aye and the spring supplemental budget is adopted as amended. Thank you. We're right on time for the next item, which is a time certain.

Item 425.

April 26-27, 2017

Wheeler: I will turn this over to commissioner Eudaly in a moment to see if she wants to make introductory remarks. This is the design overlay zone assessment report. Nobody at city hall actually calls it that. We all call it the doza, this is being co-sponsored by commissioner Eudaly and myself. The work you're going to hear about today complements other work that is taking place that we're doing to streamline the city's development review process, and in particular we have been looking at ways that we could accelerate the development of housing. For those of you here this morning we had a very good discussion about the entire spectrum of affordability in-housing. This is actually a really good conversation to have on the heels of the conversation we had this morning. So what commissioner Eudaly and I are asking is for all of us to hear the staff's presentation, public testimony, and hopefully at the ends of that accept the report, which will be the basis for implementing changes going forward. With that, commissioner Eudaly, I don't know if you have any introductory comments to make.

Eudaly: I do.

Wheeler: Very good.

Eudaly: Thank you. Council has been spending a lot of time this month on design review issues. We heard an appeal of a type three design review earlier this month. Last week we saw the value of design reviews with several examples shared by the design review commission in an annual report. Now we're about to hear an assessment of the design review process and outcomes. I'm looking forward to hearing from the project teams and working with bds in implementing some of the changes recommended. I'm also looking forward to working with bds on improving public involvement and understanding of this process. In general I do support design review over standards because the process allows for creative adaptation instead of trying to fit -- instead of one size fits all approach. Many of the developers we've heard from seem to prefer the design review process as well because they often choose new pathways over new when they have a choice. I'm going to take a leap of faith given that I cannot face you in the room and welcome director Susan Anderson and Rebecca Esau to present this report.

Wheeler: They are ready to go right here.

Eudaly: Welcome.

Susan Anderson, Director, Bureau of Planning and Sustainability: Thanks, commissioner, mayor, the rest of council. I'm Susan Anderson, director of the bureau of planning and sustainability. And with me is Rebecca Esau our interim director. We're pleased to bring you this assessment. It's been a great collaboration between the two bureaus and we're excited to begin to make improvements to the design review process. You know the city is growing rapidly. We will have 50 to 60,000 more people calling the central city home and living here in the central city in the next 20 years and about another 150,000 people moving to the rest of our community. So design overlay zones help us to protect and to provide for a vibrant downtown, for great neighborhoods and to promote better design. But for design relates to work they need to deliver on all those benefits and at the same time not have unnecessary burdens on the stakeholders in the neighborhood and on the developers. So in the next 15 to 20 minutes we're going to share some excellent ideas and options for how to improve the design review system and some of the short term actions we have already bds and others have jumped on already and others will take a little bit longer to implement. We look forward to working hand in hand, bds and bps, to ensure that our design goals are met and the process really delivers.

Rebecca Esau, Interim Director, Bureau of Development Services: I would like to thank Susan and her staff for managing this project. They have been doing a great job. I want to thank my staff for the time and energy put into it as well as the commissioners. Our bureaus have a special relationship in that bps develops policy and amends the zoning

April 26-27, 2017

code then bds administers that code along with the commissions including the design commission. Working closely ensures policies and codes are aligned and can be implemented as envisioned. As our team has been working on this project we have started implementing some of the recommendations you'll hear about today, for example the staff have been meeting with architects to align the city design review process with the architect's typical design process streamlining the process and making more sense for how private firms do their work. We have been developing tools to help our volunteer commissioners better navigate the design guidelines and focus conversations in hearings on the more relevant guidelines. As you'll see with today's recommendations we have a lot of work to do and we look forward to moving ahead with the challenges and changes that we plan to make in this next year. With that we would like to invite the project team to give today's presentation.

Wheeler: Thank you. You all know the drill. Make sure the green light is on. State your name for the record. Good afternoon.

Sandra Wood, Bureau of Planning and Sustainability: Hi. Good afternoon. I'm Sandra wood, planning manager in the bureau of planning and sustainability. I have part of the project team up here but we're representing a larger group. Lora Lillard is the doza project manager, she's in the bps urban design studio. Kara Fioravanti is the bds design and historic review manager. Mark Henshaw who is our consultant from walker mason. We have been working with them for the past year with this assessment and subsequent improvements to design review system. We were hoping to do a refresh of what our collective practice is and get all the stakeholders on the same page whether we're commissioners, staff, community members and applicants. To do that we thought it was important to hire an independent consultant to look at the system from the outside and provide us with an impartial perspective. I think that's what you'll hear today from mark. We have been working closely with him throughout the project. He's shown he has not only a depth but breadth of knowledge about design review in the northwest and around the country. Rather than misrepresent his credentials I have asked him to introduce himself and his consultant team so you know where they are coming from and you too can appreciate their experience.

Mark Henshaw: Well, again, mark Henshaw. You know my brother roger.

Wheeler: Indeed, I do.

Henshaw: He mentioned you over dinner last night. He knows some other commissioners too I think.

Wheeler: Thank you for being here.

Henshaw: I'm an architect and city planner, principal with walker macy landscape architects based in Portland but I'm actually in the Seattle office. In past aspects of my career I have been in Kara's position as staff person in charge of a design review process. I have sat on and chaired design commissions for another city. I have been involved in court cases involving design review. I have written design standards and design procedures and I as an architect have presented in front of design commission. So I have seen this process work over 35 years in many different communities, all sizes, all throughout the country and continue to advise a lot of those cities on how to make their processes better. I was delighted when we were awarded this contract because I followed the city as a second city of my own for quite some time and I'm glad to be assisting in making the process work better here.

Wheeler: We're grateful for your service here. Thank you.

Wood: Thank you. We before we get into the findings and recommendations which I'm sure is what you're anxious to learn about we I thought we would provide a brief overview for members of the public who may be listening about the context of the assessment. We

April 26-27, 2017

have about 12 slides that we want to go through and Kara and I will provide an overview real quick. Design review is one of zoning's many tools within a larger structure of zoning. All sites in the city have a base zone. Some sites are subject to also an overlay zone or plan district regulation. Design review is one of those overlay zones. Overlay zones address specific topics such as environmental review or scenic overlays. In this case it's where extra design attention is needed. The next slide shows the paraphrases the purpose of design overlay. It's evolved over time and from being more preservation oriented as the first three bullets indicate to being more growth oriented which is what the last is about, which talks about application to high density development. This shows the milestone of design review in Portland. We have a long history of it. It's created in 1959 but didn't get widely used until 1972 with the downtown plan. After that it's been shaping downtown and extended to the whole central city not just the downtown portion and other areas of the city. This assessment is the first time we have looked at the tool in a comprehensive manner and certainly to this depth. This is a map of the city of Portland. I want to orient you a little bit to it because since we're talking about design review, geography as it applies to. The areas colored in red, pink and blue have the design overlay. Encompasses about 7% of the city, not surprising because a lot of our city is residentially zoned and for single family residential zone we don't apply the D overlay.

Fritz: That's the light elf blue? The blue or purpley ones are not. Is that correct?

Wood: No. The red central city, the pink of gateway and the blue is where the design overlay currently applies. All the gray is where it does not.

Fritz: I'm seeing a color where you're saying it's gray I think I've got it now.

Wood: The majority is not, 93% is where it's not. Areas in red is central city. 75% is covered in overlay. The rest of the 25% is central east side industrial area where there is no d-overlay. The area in pink is gateway plan district. Portland's only regional center, highest density development outside much central city. This red and pink central city and gateway are subject to discretionary design review only. They cannot use the standard and Kara will explain what the difference between the two is when she gets to her portion in a minute. Areas in blue also have the design overlay. Sometimes it was a means of preserving character and context like marquam hill or McAdam plan district. Other times it was a means to recognize areas of high growth like interstate and st. John's and Hollywood, some of our more recent long range planning work. We also have another layer, which is new comprehensive plan and mixed use work zone that you saw recently. The design overlay being expanded. These areas are shown in hatched on this map. I'll draw your attention to two town centers, west Portland park in the western part of the city and midway at 122nd and division, both of those will be new areas that are subject to design review system. Several corridors like Burnside, in the inner ring you see the east-west corridors, Burnside, Belmont, Hawthorne and division, further north Alberta, this expansion increases the amount of mixed use land that's subbed to design review to 38% currently it's about a quarter. So it's an expansion that we were mindful of as we were doing our work. So I'm going to briefly touch on design review as it relates to the city's development review process. This is a very simplified image of development review. Basically it shows that most projects need a permit and an inspection where you see the yeses. Some need a design review prior to permit. Design review is a type of land use review as you see here. Just to give you context I have listed other examples of lands use reviews. Design review happens prior to permit. It's dependent on the site zone use or geography. You may have heard of the city's two-track system in the design overlay zone. This is a side by side comparison of the two tracks. On the left you see design review which I just described as a land use review which is required prior to permit. That's required in central city and gateway. On the right you see the clear and objective plan

April 26-27, 2017

check, which is what we refer to as the standards track. That's reviewed during the required permit. That track is allowed in design overlay outside central city and gateway and the reason we call it two-track system is when you're outside central city and gateway the applicant can choose whether or not they go through the clear and objective standards path or the discretionary design review.

Wheeler: Could I ask a question on that that I never fully understood? Why in the central city and gateway do we have this different process that has more discretion as opposed to the rest of the city? What is the value behind that two-track system?

Fioravanti: Well, I think it stems from state law which allows jurisdictions to choose the requirement of discretionary review for gateway and central city for regional centers and metropolitan.

Wheeler: But why? I'm still trying to get to the why. Sound like a five-year-old. At the end of the food chain. What's there?

Fioravanti: So there are densest areas where the development is supposed to be greatest. So there's just a higher level of expectation that there be more purview over those projects.

Fritz: Isn't it also it's also allowed there. Whereas in the rest of the city we're not even allowed to put the guidelines on is that correct?

Fioravanti: Yes.

Wheeler: That's interesting.

Saltzman: when you say we're allowed is this by state law or by our own doing?

Fritz: By state law. My understanding the state law says only in those two can you do it. The rest the city you can't.

Wood: That's correct. Just to clarify it's for needed housing. It's what the provision is in the state law says. For needed housing. So because we had a lack of housing in our 1980 comp plan we identified areas of the city where any housing development was needed, therefore we needed to allow them to go through the standards track.

Saltzman: Okay.

Fioravanti: Just to point out obviously differences between the two, as you're probably familiar design review is subjective. It requires judgment and allows flexibility whereas the standards track is objective, it does not require judgment and it limits flexibility. You either meet the standards or you don't. I'll get into that in a moment. With design review there's more public outreach and we invite public comment. Neighbors and the public can write in and testify at hearing, hey can even appeal through a land use review. Basically all projects prior to permit are required to request a meeting with the neighborhood association and if there is a meeting the development team needs to follow up with a letter and that's the limited public involvement there. Finally, the criteria are different, obviously. With design review there are design guidelines created based on geography for certain areas. With the standards track the criteria are design standards in the zoning code. I'll give you an example of the difference between a guideline and a standard. I picked these two because they both try to get at a project providing a vibrant, engaging ground level. On the left you'll see design guideline a8. And it says contribute to vibrant experience. If you read through it it's open ended, flexible and allows creativity. There's endless possibilities how a project can meet that guideline. Whereas if you look at the standard on the right is limiting. You either meet the standard or you don't. If you don't then you need design review.

Fritz: There's no adjustment process to the standards?

Fioravanti: That's correct.

Fritz: If you need anything even marginally different you have to go the full fledged--

April 26-27, 2017

Fioravanti: That's correct. The final side I'll talk about today just gives you a sense of what we have been looking at over the last three years. This is commercial permits issued in design overlay zones between 2013 and 2015. For reference I'll let you know that commercial permits are required for commercial projects and residential projects of more than three units, so pretty much everything we look at through design review. This chart raises quite a few interesting points. So first we have had 358 projects that underwent design review. A majority of those, 239, were located in central city and it's the first bar. Only 25 were in gateway that second bar, then the remaining 94 that went through design review were located in the rest of the city. That's those three bars under the discretionary design review heading. The right side, right two bars, that compares projects outside central city and gateway and if you recall those are the areas that are afforded the two-track system. What those two bars show is that there's a 60-40 split between design review and standards. 40% of projects outside of central city and gateway chose the standards track. The blue shows alterations and additions. Clearly the majority of the work we review in design review is alteration or addition. The couple things to note between that, the split between alterations and additions was more even outside central city and gateway while inside both central city and gateway alterations comprised the largest slice of the projects that we looked at. Finally, another interesting point about new construction which is in orange, outside of central city and gateway there was 35% of design reviews were new construction which is more than the new construction in central city and gateway. Central city had 26% new construction. Gateway had 28% new construction.

Wood: So what is doza? Design overlay zone assessment. It's an assessment. What we're doing is evaluating what's working and what's not in the design overlay. As I mentioned to do this we hired an independent consultant to not only conduct the assessment but make recommendations on ways to improve the system and tools. During the process we asked two key questions. How can design review evolve to better respond to the changing development environment, and can't read because of the closed captions. What improvements could be made to allow for greatest benefit and least burden to all stakeholders. Our questions we were asking ourselves through the process. We have been at this for about a year, so the work that you're seeing here is a year in the making. During the first couple of phases is when the assessment was taking place. They looked at peer cities, interviewed dozens of stakeholders, had a large questionnaire sent to applicants in the last five years. Evaluations over 70 projects. All of that work is compiled in a 300-page appendix, your second volume of the work that you've gotten. This phase 3, which is the phase right before this, the findings and preliminary recommendations were presented to the design commission and to the planning and sustainability commission. We held an open house and online open house. There was a joint session between the subcommittee of the psc, and the design commission. Lots of vetting of the preliminary recommendations, a briefing at the landmarks commission, urban forestry commission which I believe you're hearing from the landmarks commission today. That's been our process. Right here we are with the final recommendations from him. After that we'll start implementing some of the recommendations, moving forward. This is a quick snapshot of our preliminary thinking of how we're moving forward with our work plan. The recommendations are divided into process improvements and tool improvements. Some of the process improvements donned need zoning code amendments so those can be started immediately. As Rebecca mentioned, already under way. The tool recommendations will require a full legislative project with public outreach as normal before both commissions before we come to city council so that will take a while longer. Because of mark's recommendations we anticipate beginning with updating the review criteria outside of central city working outside and then tackling central city after that. I

April 26-27, 2017

think you'll understand why after I let him speak. I'll pass it on to Lora to share the findings then mark can share the recommendations.

Lora Lillard, Bureau of Planning and Sustainability: I'm going to run through the nine key findings from the entirety of the assessment, a process Sandra went over. There are more detailed findings in the report itself. These findings form the basis for the recommendations. You can see as I go through why it was so important for us to work with a third party independent observer. I'm going to do my best to channel the consultant team as I move through these quickly. The consultant team finds a lot of support for design review. Design review has accomplished a lot of good work and overall people value design review and design in general. However, the good work and the good intent of the design overlay zone and design review points to a need for refresh. There are a number of opportunities that the assessment recommends. The d-overlay from what the consultant found in the 70-plus site evaluations they did doesn't necessarily guarantee good design. It doesn't stand in the way of it but results are sometimes mixed. The consultant team recognizes there are a lot of factors that drive design not just regulations and the processes. It's finances, talent of the designers, motivations of developers, cost of materials, all sorts of things on the outcomes. Design review and design overlay touches are a piece of that but there's a notion that all you need is the design overlay and the problems with new development will go away. But that's not necessarily the case. The projects of the consultant team looked at have a variety of outcomes. In addition to looking at projects with the d-overlay they looked at projects over the last five years without the design overlay, which serve as a control set for the research. There are outstanding efforts out there that have no design review or special standards but there are also projects that are barely contributing positively. The consultant team is deliberately through the recommendations wanting to rectify that and course correct. Coming out of the questionnaire which you can barely read some of these points in the slide, the consultant asked people what do they think is an important quality in the built environment. The biggest disparity and response between the two groups that we asked was and those two groups are the residents and developers, or architects, was in the architectural consistency with surrounding buildings which confirm some of the comments from the interviews. The design community developers and applicants, architects see design overlay especially review, as an opportunity for flexibility, innovation, creativity, create these one-off design solutions. The community values projects that fit in and that don't necessarily stand out. So there's sort of a disconnect in the expectations for what the outcomes should be. In the current system of design overlay, the review process isn't very well set up to recognize the vastly different scales of development. This is another finding from our consultant team. They posit that there's a small end that seems to be put into the same sort of one size fits all requirements unnecessarily. That sort of feeds into the recommendations which you'll see. They recognize the small end probably gets a little bit too much attention where there's a lot of time and effort spent but on the larger end where there is really a lot of impact to the community maybe there is not enough attention paid. So the consultant team and you'll hear from mark in a minute cites the need to shift that degree of emphasis lightning up on the smaller ends. The consultant team believes in the central city it's benefited largely from this design overlay approach. It has obviously a longer history of using design review. It seems to have produced results that are generally very positive. Not always 100% all the time but generally better. Those are raised the bar on design. That they feel that this less so elsewhere there's one area getting a lot of nurturing and other areas not so much. To that point the decision criteria that are in severe need of updating are generally outside of the central city. Many of the tools that we have outside of the central city, the review criteria go back a long way, years, and it would really benefit for

April 26-27, 2017

us to do a refresh in current thinking and recently adopted plans. Most of our standards for instance come from one area and one historical context and they are largely applied everywhere with a few exceptions. It's harder to do that everywhere so we just need to most of all recognize there are different contexts. There has been a rapid uptake in the sheer amount and volume of projects it's basically tripled in less than a decade. Design commission our volunteers meet three times a month instead of two and there's a similar up take in staff time for the reviews and this isn't very sustainable they can't keep being overloaded particularly as Sandra pointed out when we expanded the design overlay. And this also could be the consultant points out discourage potential commissioners from submitting their names in the pot. So this work load sort of chokes the system, but it has compounding affects it's taking longer amounts of times it possible delays projects causes frustration, increases carrying cost, affects housing there's just a lot of projects coming through the system so this is another area ha needs to be corrected. The consultant team has also observed over time that there's been a shift in the bigger broader issues of context to smaller details and materials and things that are sort of finer in level of grain and the consultant team has suggested that design review maybe goes back and reweighs the time spent on materials and details, to make sure that other aspects, particularly in terms of the surrounding context and the treatment of the ground floor, are given the same amount of time and discussion because this emphasize on details seems to take a little more time, perhaps at the expense of other subject matter so they offer some recommendations that try to refocus back to some of the bigger picture stuff. Finally, the consultant team has noted that this is not only an opportunity for sort of a refresh on the regulations and the system, but also in terms of just attitudes. Communities benefit from a collaborative sense of moving forward of people feeling like we're all in the same boat and we're sharing in the shaping of the city as it evolves. What the consultant has found is that people come to design review feeling like they're in different camps. There's sometimes resentment, feeling beaten up and feels sometimes more adversarial. They've heard a lot of raw feeling us out there in some of the discussions that are going on. I don't think the consultant team is pointing their finger at anyone group it just seems to be universal it was troubling enough and repeated enough that they raised it to a level of a key finding. Which may take some time to rectify, but we need to recognize it, as a city, and move forward. So this could be helped in clarifying the expectations for this process and the expectations on design overlay zone in general. I'll stop there, it's a lot to soak in. Again, there are more detailed findings in your report but these generally set the recommendations. I'll turn it over to mark.

Wheeler: Excellent. Thank you.

Henshaw: Thanks, Lora. The next page, I'm not going to go in detail. Under the topic of process or procedures, seven recommendations and then under tools, we have a larger number that I'll hit on in a few minutes. Taking some of the more important ones, one at a time, we had benefit of great data that was collected by the city over a multi-year period. In that review of the data, we realized that a lot of more modest projects, smaller projects, were consuming a lot of the time involved in the various review procedures. And so, we thought, well, what might be a way of making that situation better because it was sort of weighing everybody down in the rendous kind of time consuming effort to have all of these go through the various steps. One approach that we took on this was to look at the small end of the spectrum. And, from my observation as an urban designer of Portland, is one of its strengths and one of its national or international if you will even recognitions is about the fact that there are many, many small projects that are quirky, that are odd-ball, that are kind of just sort of not -- not in the norm, that people appreciate that kind of hand-crafted, kind of funky, not always great, not always wonderful, but an individual personality,

April 26-27, 2017

reinforced the street, adds the character to your neighborhoods and that is there a way of sort of lightening up on that end? So we've suggested that -- we've kind of targeted the small end of the spectrum of new development additions and alterations, maybe just taking that out of the review process all together. They would certainly have to comply with building code standards and base zone standards to not send them through another process of review. And, when we looked at that and kind of adjusted some of the threshold points -- there's not a perfection in the recommendation, I think it's still open to discussion. If we set them at a certain level, we can probably reduce the number going through by as much of 20%, which would itself, would open up more opportunities to spend more in-depth time with other projects. It's just not humanly possible to hand that kind of massive number in the hundreds.

Fritz: To just clarify that are you suggesting that there wouldn't have to comply with the design standards?

Henshaw: Just the base zoning and the base zoning is now being supplemented with design oriented standards. So that's a parallel -- that's a parallel effort that's going on, which will enhance the qualitative aspects of base zoning.

Fritz: That's a concern I'm going to want to hear more testimony about because in the comprehensive plan and the mapping process, neighborhoods accepted greater density with a promise that would come with design overlay so if your proposing to then say never mind you don't have nothing to do about design I think that's difficult to reconcile with the decisions we made last year.

Henshaw: Our view was that as we look through the various neighborhoods that have received a lot of development, it's the larger end of the spectrum that's causing a lot of the big, severe shifts in scale, in bulk, in perception. It's not so much the smaller end of the spectrum that's doing that. Sometimes it is, but we're suggesting focusing on the projects that have the greatest impact for change and impact.

Fritz: How are you defining large?

Henshaw: There's a whole series of metrics in there. For new development, it's based on lot size, that's the proposal. For additions, it's based on square feet. And for alterations, it's based on a dollar amount. There is a chart that I think you have available to you, that makes a finer cut of proposing these various threshold points.

Fritz: Could you give me a page number?

Wood: Yes, page 42 and 43 of the recommendation. And it is divided by new construction versus alteration and additions.

Wheeler: Those are labeled, concept. Does that mean there's still changes and alterations you'd like to make to these?

Henshaw: This was put forth as a way of making a point about how you could have a different set of thresholds. They can all be argued that maybe in some cases if a smaller project is on a key sensitive site, maybe you'd still want to do that. So we didn't go that far in making those nuances, but certainly, it's legitimate for having a discussion.

Wheeler: And you proposed several different strategies. Do you have a sense of the relative strength of those proposals or those concepts?

Henshaw: We did a dozen different scenarios and had different numbers in each one. In some cases, it didn't make any appreciable difference. Others was like wiping out so much, there were only a handful left and that didn't seem useful. We were looking for a balance of a middle ground where there would be fewer coming through, but not dramatically fewer. Just enough to seem to loosen up the system.

Wheeler: Walk me through the logic chain, as well. We recently had a proposal we all looked at and it had gone through a process and not all, but a preponderance of the objections was what you described and the lack of scale relative to what's already there in

April 26-27, 2017

the neighborhood. How would calling out projects with that kind of an issue be resolved differently rather than currently under this new strategy? Or would they be?

Henshaw: I don't know that it would be necessarily, by itself, with that description, greatly different. But it would allow more time to be spent on higher impact projects.

Wheeler: So it's really more the ability to take some off of the rest rather than changing the dynamic. So, you might have more of a comprehensive review of those particular projects and take some of the other work off the table, acknowledging this is a volunteer group that does this work. We don't pay them very well.

Henshaw: Right. The most problem is the staff --

Wheeler: Initial review, that's correct.

Henshaw: Staff is overloaded, too, quite frankly. We're not just pointing a finger at design commission.

Wheeler: Commissioner Eudaly has brought forth very good things to address those.

Henshaw: The staff is getting more organized, getting more professional so there's improvements already taking place, there's the sheer volume.

Fritz: You're proposing more would be allowed with staff review rather than commission. That wouldn't necessarily change steps for hearings because the staff provides a recommendation, anyway?

Wood: This recommendation, this a1, the first one we're discussing today, is the one we have talked most about and both of the commissions have talked a lot about. Some of those conversations have been centered around the goals on top of page 42, why would we change their thresholds? Is it to reduce workload for the commissioner? For staff. I think there's a lot more to say about this. It's concept recommendation and we'll have a lot more to discuss in the coming year.

Wheeler: One expectations I've had in this process I know you've worked hard to acknowledge that -- is speeding off. If you're taking some of the projects off the list of intensive review, at least for those proposals, it will clearly be sped up. And that, to me, is a good thing.

Henshaw: There's another variant to that. Gateway has been treated in the same category as the central city. What we're seeing in gateway is another kind of development. It's not going to high-rise, not dense urban development. May happen in the future don't know exactly when couldn't predict that. It's now the type of development is more in the category of alterations, additions, retrofits and people are just trying to make economical reuse of older building stock into new stuff that serves the community. They're being kind of discouraged in that endeavor by being thrown into a system that is the same as for the major urban development. And we heard some very touching stories from people. It's their life savings, they do it once in their life. They're being confronted with this and they're not prepared for that. It is tended to discourage them because, you know, we just can't take those risks, their own life -- you know, their own life and blood at stake. You want modest investment in an area that needs that kind of recharge so that was part of thinking of shifting away requiring everything gateway to go through.

Fritz: It would probably depend on area by area. So just clarify for me Sandra if we accept this report, we're not saying do it like this. If neighbors are concerned, there will be another process to decide should the standards be different in Multnomah village than in cornfield.

Wood: Absolutely. You'll hear from the decision commission and the planning and sustainability commission and it's not their recommendations. You're hearing mark's recommendations and initial thoughts from those commissions.

Fritz: They're going to be bringing reports to us or that's just part of the process that will happen?

April 26-27, 2017

Wood: Just part of the process because they've been thinking about this a little bit but they will be involved in the legislative process to change this.

Fritz: Terrific. Thank you.

Henshaw: The second recommendation is dealing with the commission itself and, that had to do with creating a very clear charter with the commission. Its responsibilities are found in code and other aspects. Maybe it's time now because there has been a very long history of the commission operating to really tune that up and give it a very clear mission and set of responsibilities. And that includes managing their meetings in a way that makes a smoother flow. And that means, perhaps, giving commissioners and the chair of the commission clear authority to manage those meetings and to keep them moving ahead and to be the center -- be the rule keeper and the manager of that so that it keeps moving along and maybe at some point, people have to be -- you know, have to be cut off because in the interest of keeping everybody on track, that may be necessary. It's just tuning up the approach. It's not like it's broken by any means. I would not characterize it that way. Any decision-making body benefits from sort of a discipline and a clear charter, a clear mission and that's what we believe is appropriate to happen now. So, that's one of the recommendations. The third recommendation has to do with a couple of things. One is, focusing deliberations so that there's a clear tie-back to design guidelines, that when subjects are being discussed, that there's reference to what the city has, as adopted guidelines. So, keep it focused on those subjects. And not introduce a lot of collateral kinds of issues. To require d.a.r.s for larger projects in the central city. That isn't a requirement right now. Some people opt for that.

Wood: Just to clarify, d.a.r.s are design advice request. Those are when applicants come to the commission and discuss their project before they submit their formal application.

Henshaw: We believe that is the very first step in it's collective with them, to give good direction to an applicant. Right at the outset, very early on, before a lot of decisions are made and the project is locked down and we see the value in that. For larger projects that have higher impact that are affecting lots of areas around them, we think that first step is really key and important. And sort of coupled with that is the notion of trying to realign the review process with a normal design process that architects and developers go through. And what seems to be happening now is that all information about a project is requested upfront. Well, in the design process, all information about a project isn't known. You're not there yet for a lot of things. It goes through a natural sorting of issues until you get down to detail. But yet, the way the system is working now is everything is asked for upfront so there's this great rush to design and get everything nailed down and that limits the amount of influence that the review process can have. If everything's decided, it's like pulling teeth to make corrections or shifts. The notion would be to put the first point of contact way back at the conceptual level where there's flexibility and not require everything upfront and as you go through review, the design team is going through its refinements and you track along the same steps, if that makes sense. Knowing that the d-overlay tool is a useful tool, an established tool, there probably are some ways of getting the word out better to both the public and applicants. Some applicants are not familiar with Portland. They step into the arena and they're confused by your systems and your methods and we have a variety of tools to education to help everybody to be better participants and that's a necessary thing. People have to come to this table with the attitude that they are building a city, not just building a project. And so, that means everybody needs to have that attitude, that we're in it together and we're moving it forward and we're making this place great. As was said earlier, there is almost an adversarial effect of are you throwing a hurdle in our way, we're not hearing you or we're ignoring you. There's all these disconnects that are just not -- they're not productive in the end. So, everybody engaged in this, whether they're

April 26-27, 2017

coming from the neighborhood side, the city side, the development side, the design side, needs to engage in a way that has a collaborative, respectful, civil attitude and you're listen as much as telling. And that's an important attitudinal shift.

Wheeler: May I ask you a question about that and as somebody with a lot of experience and you mentioned you served in various capacities in design review in other communities. When I meet with people who are proposing projects, they often talk about their limited partners, their institutional investors, their need to hit certain roi targets. In other words, there's strong economic incentive and agency incentive for them to focus on the project and does the project pencil out and can they get it to market in time to capture whatever market opportunity they see through the process? I would assume that in this current economic environment, there is a lot of that. To what degree are developers coming to the table with the attitude you just described and is there anything unique to Portland about trying to create that attitude? If I'm a developer in Chicago and I come to Portland with a multifamily proposal, am I perplexed by that or is that something that a developer would expect to see in any large community with a large-scale project of the kind you're describing for this process?

Henshaw: The record is kind of mixed. There are certainly very thoughtful development teams that put together great projects and think it out and are sincere in their efforts and there are others that are just looking at simply getting a project in the ground. Other things are less important. And I think what some times -- from folks outside, they don't appreciate the passion with which people really care about this place. There are other communities where that is less so, frankly, in other areas that I've observed it's just a project.

Wheeler: Aren't we competing with those other areas for project? Getting back to the discussion we had this morning, we need all kinds of affordability in the housing and it particularly concerns me and one of the reasons I was eager to participate is because I'm hearing stories from those who offer a significant amount of affordability saying this process is cumbersome, it's time-consuming, adding cost, creating havoc for our financing stack. How do you reconcile those things in this process?

Henshaw: You know, with the specific lens of affordability, I have to say that that was not part of our scope to look at that. But we did touch on it. But we -- in fact, one of the team members was Leland consulting group. If you look in -- if you look in the appendix, the big, thick thing the very first one is a letter from them. They point out that design review procedures and standards, although they're part of the whole mix, they're not the driver of it. There are so many other factors that are bearing down on whether a project pencils, whether it makes sense in an area, the size of it and all of that, that while this is a factor, it isn't really the one that's necessarily causing issues. It certainly can be better and that's what we're recommending here, all of these recommendations are in that vein of making it operate more smoothly, more effectively, more smoothly, but we weren't asked to specifically look at the affordability issue. We knew it was a high concern.

Wheeler: And that's right, it's inferred and their analysis of recommendations is it could speed up through-put. I won't speak for developers, but I assume speeding up through it is potentially reflected through lower costs. Or at least less market risk, I would argue that point.

Henshaw: One of the keys is what I said earlier, if you want to intervene in the design project, catch it early before everything is nailed down and priced out and approved by all of the various parties involved in the development sector. That's too late so you need to grab it while -- before that time and then you've got greater opportunity to influence the outcome. So, it's a whole combination -- a whole bundle of things we're talking about here. There's no one silver bullet that kind of addresses everything.

Wheeler: Thank you.

April 26-27, 2017

Henshaw: We also thought it was fair that neighborhood folks get better notice of projects. Right now, that does seem to be a weak point in the city's development review process, where if you look around at other major metropolitan cities, they announce projects very boldly on-site. A pending proposal is right there in your face, you walk by it, drive by it, you see it. That's not a big deal. It's just putting up a sign with the appropriate information, the contact information, the city, what the proposal is. It's pretty standard practice, it just hasn't been done here, except this thing on a stick. Really to tell people what's going on and also, it's fair because in terms of a notice, public notice, to give notice to renters. You've got a much bigger renter population now than you've had in the past. Sending it to the property owners is the holdover from two centuries ago. Renters are now part of the equation and they need to know what's going on around them. Not a big deal, post office puts occupant or resident, you don't have to name them. As least they get an opportunity to do that and the city's also looking at how to use web-type products to get the word out. A lot of people use that. So you have to do multiple ways. A lot of people just want to know what's going on. They aren't necessarily going to oppose it. They just want to know what's going on in their life they don't like seeing the fence go up, like, what is that? Who approved that? What is that going to be? That makes people crazy. So just make life easier for the folks being affected by new development. Again, I think low-hanging fruit to do that. Doesn't require code change over zoning change. The last thing, just to touch on, on the process, is we've recommended a number of things all operate together. I wouldn't pull anyone out and say, that's the solution. And to give it a time to work and see how they make the system better, to evaluate it, establish some metrics, to give it a development cycle, at least. Maybe two. And size it up. Did these make a difference? If they didn't, then you might go back to the last recommendation, which is maybe it's too much for one board to handle. I wouldn't leap to that right now because, first of all, that sets in motion a whole bunch of other infrastructure that would be complex to put in motion, not the least of which, lining up all those people that would have to be filling these positions. Keep that in the back pocket -- it's certainly not uncommon for other cities to have multiple review bodies that's not uncommon. But, don't assume that that's the solution right now because I think there's some other organizational, procedural and standard things that can be helping move the system along better. That's our thought on that because we know that's come up. I think that's not probably the best direction to go in right off the bat. See how these other things work and then -- you still have that option, it doesn't preclude you from going there. Give it some time, see how these are being affected and then, you know, consider that. I just want to touch on the tools. There's a whole bunch of things, but there's some minutia there that's probably not worth talking about here. We did feel that we should highlight the fact that there are standards that need to be brought up-to-date, some go back 30 years. Portland has changed, neighborhoods have changes, people are familiar with higher density now, they weren't maybe 30 years ago and there's some terms that's aren't clear, that are confusing to people, just clean up the system, bring it up-to-date, simplify it, there are several booklets that say the same thing, sometimes not the same thing. They're using different terminology and it's causing people to be confused. What does the city really want? There are all these things out there and they're not really working together as best they could. So just bring that up-to-date. Syncing the language and the standards and the guidelines so they have a parallel. You're trying to accomplish the same thing through those two tracks and that's not always clear so just get that to be tuned up. To focus on three what we call tenants of design. It provides an organizational discipline to buckets that subjects can be discussed in and one is, recognizing that new development always goes into an existing context. What is that neighborhood? What is that district? What's going on there? Demand that the development team think about it.

April 26-27, 2017

What's the neighbor next door? What's the neighbor behind? What's happening along the street frontage? What is the history of this district? How is it evolving? What are the positive things? What are the negative things? Ask for that thoughtful design. Most good architects do that. They do that internally. They need to understand where they're putting that project. It's leveling the playing field, expecting that from everyone, to do a thoughtful overview of where their project is being placed. And I think that's really only fair and only appropriate to the neighborhood folks that have been there, you know, for many, many years. The second is to really focus on the public realm and already, that's happened. Commission spent a lot of time on that subject. And staff has, too. But put a finer point out. Really make sure that what I call the first 30 feet vertically, that people can see and touch and react to and the first 30 feet horizontally, the sidewalk, the street trees, the lights, the shared living room, make sure it is the best it can be and the most varied and diverse and artfully done and expertly done, really, really work that and insist that people think about it. Don't show the building where the ground floor is, like, this big. You can't see what's going on. Blow it up. Take it. Examine where the entrance is. What's the overhang for weather protection? What's the sense of entering? Work it like you work your own living room.

Fritz: I'm sorry to interrupt. Could you summarize? I'm conscience of time.

Henshaw: Then the last is just the third head of the stool so to speak bear down on quality and permanence and what that might mean. So, there's a whole host of other recommendations for standards that are more detailed and that sort of captures the essence of it.

Fritz: Thank you very much for all of your work.

Wheeler: Excellent.

Wood: We have eight testifiers. We'd like to invite the chairs of both the design commission and the planning and sustainability commission to share some of their thoughts.

Wheeler: Great. Thank you. Excellent presentation.

Fritz: Thank you for all your work.

Wheeler: Hello and welcome good afternoon.

*****: Afternoon.

Katherine Schultz: We didn't talk about who goes first.

*****: Go from left to right.

Schultz: Sounds good. So, good afternoon. I'm Katherine Schultz. I'm chair of the planning and sustainability commission also known as the psc. I also served on the design commission. Seems like years ago, about over five years ago. And I am an architect so I have had the pleasure of being an applicant. Today, I'm here representing the psc and I'm joined by my follow colleague, Eli spevak. As stewards of the comprehensive plan and climate action plan the psc is keenly interested in developing and maintaining the zoning code to carry out the goals and policies of those plans. As our city grows, we're vesting in insuring high-quality development and an efficient design review process that aligns with those goals and policies. We support the recommendations of the doza report. During the next face of doza we encourage additional focus in a number of areas, as outlined our letter. I'll highlight a few of the critical points. One, the design review thresholds need to be right-sized based on impact. Removing regulatory barriers will allow innovation and testing of new systems and can give small developer and property owners a chance to succeed while furthering the equity goals in our comp plan. This one's in alignment with commissioner Fritz comment, the thresholds need to be refined in conjunction with the standards and guidelines. Projects of lesser impact, if they're not part of the full discretionary process, will maintain a unique character. We strongly support improving public education and notification to insure inclusivity. The purpose of the design overlay

April 26-27, 2017

requires updating to reflect our goals and policies with particular attention to equity. Additionally, it needs to reconcile the tension between compatibility and change and clearly outline the objectives of discretionary review. We support removing f.a.r., height, setbacks to meet our comp plan density goals. Many of the recommendations are applicable to historic resource review, the historic landmarks commission needs to be included in this, as well. The implementation of this report is critical to supporting the increase and density of development in our centers and corridors, while insuring the public has the opportunity to engage in the process. We believe that further implementation of the doza recommendations will ensure that we support high-quality design. I'd like to turn it over to Eli to say a few words.

Wheeler: Thank you.

Eli Spevak: My name's Eli Spevak. I'm a developer and contractor and serve on the planning commission. I'm going to add a few detailed points. When people hear central city, most people think of downtown and don't realize how expansive the central city is. It includes a way district back to 16th the eastside up to 12th, lower Albina, goose hollow a lot of residential and commercial mixed use zones. One suggestion we had was to acknowledge that some of the parts of the central city are really more similar to the mixed-use corridors than they are to downtown. One option would be to say that although Portland is allowed to treat the highest level of mandatory discretionary review for all of central city, we don't have to. There are 10 sub districts and say that the highest level of design review applies to those. And other portions would have design review, but it would be mixed-use zones so that would be one recommendation that we came up with. We through the doza process had the chance to have a joint meeting with the design commission, which was really informative for us and for them. It's impossible for any volunteer to serve on both of those bodies at once. We recommend that the design commission, as they do their annual presentation, that they also bring those to the planning commission so we understand the issues they're wrestling with. On the three tenants being context elevating the public realm in quality and sense of permanence, we thought it was helpful way of which categorizing the lens of design reviews process. We also had some debate over whether there should be prioritization there was not consensus on the planning commission on that. I'll speak for myself personally, I hope the design commission focuses on the public realm element because in representing the public, that's the primary way we interact with our buildings, our landscapes and some commissions, like in Denver, design commission doesn't even look beyond the first few floors of the building. They focus in on having a fantastic ground floor. We rely on the design commission for that. Cause in adding density to some areas we want people to have positive experiences with that increased density. One other recommendation that we support is reducing the threshold for smaller projects for design review. Specifically, to encourage fine-grain development patterns, funkiness, only applicable to smaller buildings, like, 5,000-square-feet or less. Some of the most treasured commercial and mixed-use zones we had were built that way so we should make that easy to do. And lastly, to the roles these two commissions have, you guys are experiencing, right now, the situation of when something gets appealed to city council. Through the planning commission process, we go through to establish f.a.r., height limit and setbacks, we take enormous amounts of public input, set the rules for that and developers, when they look at property, they expect reasonably that they can do what the zoning code says they can do. Currently, the planning commission -- the design commission has, in the code, a series of factors in which they can review projects and it includes things that are more design-related, like colors, building materials, open areas, and it also includes in the list, it mentions height, bulk, lot coverage. As currently authorized, the charter spans designs and entitlements.

April 26-27, 2017

We think this sets up a stage where the public and you and the design commission get drawn into things that have already been litigated to establish those entitlements. To concur with the recommendation of this report and clarify the scope of these two different commissions, we rely on the design commission to insure that the buildings have -- enhance the public realm, have a higher level of scrutiny and if they don't, the design commission's going to take the heat. If there are situations where we zone higher densities, then if people are concerned about it, either it went too high or too low, we can and do take the heat. I fear that if the commissions have overlapping purviews, then what will happen it you'll see many more projects going to city council and you'll have to be the arbiters and take public testimony time. Which won't serve developers well because they'll go through a more involved process it won't serve the public well because they'll have to spend more time whenever there's an opportunity to weigh in on something people care about they will take that opportunity and will use more of your time. I hope as part of this process we can clarify roles and support one another in the elements we focus on.

Fritz: You don't need our permission for the planning and sustainability commission to invite the design commission to have a point meeting. Right.

Schultz: Correct.

Fritz: That's a good idea, but I'm concerned about a bait and switch. That the whole of last year when we were discussing heights and appropriate zoning, there was the failsafe that things would go through design review -- the practice of many, many years has been that you may not get to the entire height that you may be entitled to because you can't meet the design guidelines and that's been a safeguard for neighborhoods.

David Wark: Can I weigh in on this for a second? This is an important point to make. I'm sorry if I interrupted -- I apologize, you go ahead.

Spevak: For some, the expectation is that entitlements are there in the design commission have a different purview.

Fritz: We do need to have I don't know whether it's part of this project or a separate project. It is something communities are extremely concerned about. In viewing what we've put on the comprehensive plan last year, on the maps, felt I could do some of them because I knew there would be design review and the compatibility would be taken into it.

Spevak: Compatibility is definitely part of the design criteria.

Schultz: I don't think -- I think we're agreeing that the thresholds need to be looked at. Its what scale needs to be looked at? There are some that we can make clear guidelines. The neighborhoods have to be part of the process of perhaps what we can put in the code that maes them comfortable.

Fritz: I heard that, but what I heard commissioner spevak say is that developer should be entitled to the maximum f.a.r. Height, bulk that they're allowed under the zoning code and that's a change in practice that would need a lot of discussion.

Wheeler: Good afternoon.

Wark: David wark, chair of the design commission. I'd like to ducktail on what they've talked about. We looked at this and researched for the last four years where commission has weighed in on height and f.a.r. And there's no case for base f.a.r. Where we've reduced it, or height. We've increased height, actually, through modifications on base height and base f.a.r. Where we have reduced f.a.r. Was on bonus f.a.r. So there's a distinction there on what is, by right, the base f.a.r. And height and what you earn through bonuses. So, just to set the record straight. So, this almost might be a solution looking for a problem. I want to start out by saying on behalf of all the commissioners, we love Portland. We love Portland. We commit so much of our time to making it a better city and so while else would we do this other than we love Portland. We serve as a bridge for the planning process and the realities of building design and development and construction

April 26-27, 2017

and in this role, we see a very personal side of change, the challenges, successes and impacts to neighborhoods, applicants, staff and to commissioners. Over the past year, we've offered our perspective to doza. And for the most part our perspective has been incorporated into the report we still have some differences, I'm not going to go over those in any detail. As mark stated at his last briefing, Portland has a reputation for moving the bar forward in terms of urban design and urban excellence. To retain the qualities of Portland, design review and design commission will continue to be an important part of that process. We feel there are three points that need to be incorporated in all discussions as we do move forward. One, to affirm the aspirations and qualitative goals of design review. Two to craft a reasonable process that's fair and open and evenly applied and we can argue what reasonable means. Starting with that term seems to be middle ground. And three update the set of tools to support numbers one and two. Such as updating the design guidelines might be the first part of that. The design commission is in support of the doza report and as we move forward, we're fully-committed to the design review process and the product of the betterment of the city we all love. Thank you.

Wheeler: Thank you, appreciate it very much. And thank you, all, for your service. We have public testimony now. And when people come up, please state your name the record. If you're a lobbyist, please state so. If you're with an organization, it would be helpful if you state that, as well. We'll have three minutes of testimony. 30 seconds before your time is up, you'll see a yellow light. When your time is up, there's a red light and the world's most obnoxious beeping noise.

Bob Boileau: My name is bob Boileau, I'm an architect and planner in the city of Portland. I first want to take some time and reintroduce our group to the city council. For almost 20 years, the ai urban design panel has been actively involved in the process. We interacted with mayor hales for four years a state of design discussion and I believe I owe the mayor a phone call to talk about the next four years.

Wheeler: Very good.

Boileau: The ai, urban design committee, acted as a resource for design process, first coming before the design commission. Five years ago, we joined forces with the American planning association, American society of landscape architects to create the aiaapaesla to create the urban design panel. We're in search of a better name, if you have it. Many of our planners come before the commission for projects or in john's case, has served as a past chair of the design commission. Recently in 2004 teaming up with the city club of Portland sponsoring design ward shops center of architecture building, on design review process in the city, with our three professions, we continued this process with mark Henshaw through the doza process, hosting several workshops with our professional colleagues, long meetings with our executive committee that both john and I serve on, to move the process forward. We strongly support this study and expressed that in the support of our position paper that hopefully you've had a chance to read. I'm going to let john discuss our recommendations and how we hope to continue our involvement through the design review process and how our group, in the future, can provide a conduit to our three professional organizations.

Wheeler: Excellent. Thank you, sir.

John Spencer: My name's john spencer, I'm an urban designer and planner in Portland and serve with bob on the executive committee of the urban design panel. I'd like to maybe echo David's comment about our group because I think we're a group of professionals that also truly love Portland and we're -- our professional lives are really kind of -- our decisions about being here have a lot to do about the quality of this place. Portland is a model for the integration of the public realm, with private development over time and is based on rigorous planning and solid process and that's the design review process. Maintaining and

April 26-27, 2017

improving design review is critical to enhancing Portland's international reputation as a livable city. We support mark's recommendations to focus on the public realm, on context as really the two -- the two kind of key elements of design review and particularly related to maintaining this place as a quality place to live and a quality place to visit. We enthusiastically support the work done as part of the doza project and the recommendations that are in the final report. We urge the city and both the bureaus and this council to aggressively implement all of the priority recommendations contained in the report, as soon as possible. Along a piece meal approach to taking in these recommendation, we don't think will solve what Mr. Henshaw has convincing we identified. We would like to be here, in less than a year, voicing our support for taking all the implementations, the priority implementations, going through the necessary process and supporting those recommendations. We also think that the -- some of the recommendations that really are geared around revising and the design community standards and the design guidelines, right now the design guidelines are in 60-70 pages of documentations. Let's make the hard decisions and get that down to 10 or 15 pages. Finally, our group -- they're made up of professionals that's are involved in design review and development in the Portland region and elsewhere. We pledge to help and participate and really contribute to this next step of implementation. We've been very active participants, so far, and we would like to continue to do that.

Wheeler: Great. Thank you, sir. Appreciate it. Good afternoon.

Jeanne Galick: Hi I'm Jeanne Galick

Fritz: Can you pull the microphone closer to you, please?

Galick: My name is Jeanne Galick and I'm a longtime planning greenway advocate -- thank you. And I have been in front of the commissions and councils many times because of that. Through doza, we should not streamline the processes, but insure better planning solutions and one important way to add -- but one important way is to add both a natural resource expert and a sustainability expert to the design commission. Yes, expand it. As climate and environmental issues become ever-more critical, it is vital that they are considered as an integral element of any design. The current make-up of the design commission makes it inevitable that little weight or attention is given to these issues. This is a real opportunity for Portland to demonstrate its leadership by making sure that climate, sustainable practices and natural resources are considered with each design, especially all these major designs. Secondly, the north and south reaches of the greenway really need help. Their guidelines are flabby and they're outdated. Council can make this a planning priority and development is happening now. Until that time, though, there are steps that council can take. Through the doza process to foster a healthier revering environment. Current regulations call for a 25-foot setback. We recognize that is too little but until it is expanded as a should be, doza could require new construction or remodels or retrofits along the greenway to have step backs in height, with low elevations with less native landscaping facing the trail. This would enhance wildlife habitat and user experience. It's important any greenway have a type iii review. As a neighborhood activist, I would say it's very important to somehow conflate the community standards with the key of any district design overlay. We have spent years at citizens forming those design guidelines for a particular district, I happen to be in the macadam plan district and it's important that the elements we fought so hard for are retained. Thank you.

Wheeler: Thank you, appreciate it. Next three, please. Are these the last two?

Moore-Love: Two more who want to come up.

Wheeler: Thank you for your patience.

Doug Klotz: Thank you. I'm Doug Klotz, I live in the richman neighborhood and I have for 25 years. I'm going to add to my -- I'm going to add to my remarks because I see a lack of

April 26-27, 2017

explanation of the state mandate for clear and objective standards. I don't know if you've heard of other cities where design review and the processes are used to keep housing out of neighborhoods. It's a tool neighborhoods use to slow down and keep housing out of their neighborhoods. The law requires that, where needed housing is being built, and that's another thing to define. Clear and objective -- there has to be an alternative path. You can have the option of design review or clear and objective standards that the developer or builder can come in, meet the standards and get their permit. Portland -- that was to keep housing from being held up by processes that are sometimes unclear, vague, discretionary and, you know, it could be a design commission or council, anybody that has discretion over it, is sometimes, in some political situations, are used to slow things down and that's why the state law was passed. Portland, the law allows Portland to have mandatory design review in central city and gateway. At least that's my understand of how Portland and the state worked out a deal. They'll be true in the expanded areas and the design review in new areas will still be part of that -- it has to be that two-track process. Some developers will choose to use a design review because they don't want to meet the standards. An architect friend of mine says it's easy to meet the standards. They don't want to go through the hassle of going through design review and the staff or commission gets something in their mind to do and it turns out to be an expensive thing so they avoid that. I would be in favor of keeping that arrangement, the recommendation of the report is to remove that mandatory design review from gateway, to help the small property owners from doing small projects. So, anyway, what I haven't said is I agree with what commissioner Schultz said from keeping the -- making it clear that when type ii or type iii design review are there, it should not be reduced for height or f.a.r. Or otherwise reduce the bulk of the building and the design commissioner Wark said the same thing so there shouldn't be an issue putting that in a prescriptive code in there.

Wheeler: Very good. Thank you, sir. Good afternoon.

Madeline Kovacs: Good afternoon. Mr. Mayor, commissioners, my name's Madeline Kovacs and I'm the coordinator for the Portland for everyone coalition. We urge the city to support the recommendation to clarify the scope of design review, doesn't include changes to base entitlements given by long-range planning and zoning, potentially reducing the number of homes in designated high capacity areas, to better-align development and design review process to lessen delays and costs, which can impact both availability and affordability, to allow the type of review to be appropriate for the size of the project, with clear and objective standards, to consider where, outside the city, the d-overlay may not be appropriate and weigh its application carefully. In particular, consider allowing nonprofit developers and affordable housing projects to meet a different set of clearly defined standards. We also encourage the city to consider that any limitations on entitlements and housing will by virtue of the recently adopted inclusionary housing program also result in potential loss of permanently affordable housing in our well-connected, amenity-rich areas. There a two recommendations by the planning and sustainability commission we wanted to highlight, which is to increase exclusivity and differentiating between more intense central city and sub district and those less intense sub districts to reflect the character of those neighborhoods. Lastly, we encourage the city to always consider the d-overlay and any project in light of its stated long-range planning goal, namely the climate action plan and the comprehensive plan. I can't resist because I have a minute left and I am -- I come to urban planning and housing advocacy from a decade of youth climate advocacy. I want to end with a quote, the benefits of compact communities are ubiquitous. In the past three decades' research on city's indeed, the main lesson of that entire body of work is that transit rich, walkable, mixed use, mixed income communities are critical ingredients to a sustainable future. Local officials shouldn't have to prove this anymore than they have to

April 26-27, 2017

prove that hydro and wind power electricity is better than coal power that many cities' rely on. And that's it.

Wheeler: Thank you. Good quote. Thank you, both. Last but not least. Very good.

Kristen Minor: My name is Kristen minor and I'm the vice-chair of the historic landmarks commission. So, I want to first thank the planning and sustainability commission for recognizing that landmarks should be involved. We did have a briefing on this and wrote you a letter. I also want to acknowledge commissioner Eudaly, who came to our retreat last week and that was a really nice gesture. So, I wanted to, you know, appreciate that in public. There's a couple components of the proposal that I'd like to pull out of our letter, so I'm certainly not going to read everything just make a couple of highlights here and I'd like to address a couple of concepts that we heard here today. So, first off, I will start with just the recommendation really for changing the thresholds of review. For the landmarks commission, of course, our processes align very closely with that of the design commission. In fact, pretty much identical so many would apply directly to our commission but then our goals and responsibilities shift a little bit. So, I would say that in terms of the thresholds for determining a review, as it relates to the landmarks commission and design commission, I would say how much a project affects the public realm should not lose its importance in terms of where that threshold is. I mean, we've been talking a lot about cost and bulk of a project, but there's also just the factor of changes at the street level, having a much greater impact on the public realm, than changes, for instance, at the rooftop of a project. And that actually ties into the three tenants of design, that this study calls out. One of being elevate the public realm. Another thing I want to talk about is just too strongly encourage and push the idea of public engagement even further. I think the study is asking for a greater input from neighborhood associations. We strongly support that idea and would encourage applicants to reach out, even in the planning phase of a project and perhaps then have the neighborhood associations point back to bds, that they have heard from that applicant. Finally, though, I would like to address the idea that height and f.a.r. Be taken out of design review and possibly historic review. So it's been --

Fritz: Could we extend this?

Wheeler: Certainly.

Minor: I appreciate that. Thank you very much. It's been suggested that these two kind of measures of the bulk of a project are entitlements and for the landmarks commission, in particular, but also for design review, this idea would remove the ability of the commission to take context into consideration. So, you know, the idea that we can get a project fully into an approvable context just by color or small scale design changes, is incorrect. I think the issue is that developers aren't perhaps fully understanding that there may not be a full route to the quote/unquote entitlement to every site. I would say, in my experience, landmarks commission has never had to actually tell a developer, we can't get there. We have worked with developers through sometimes three, four hearings, if necessary, to try to help them reshape the bulk of their project. And we almost always can get to yes, but taking that tool away from either commission would be a problem and I think especially in historic districts. That's all I have today, thank you.

Wheeler: Thank you, very good. Last but not least we'll invite Sandra Lore, Kara and Mark back to the table to see if there's any further questions or concluding thoughts. We're obviously not going to take our vote today this is a non-emergency first reading so we're simply going to pass it on to the second reading.

Fritz: It's a report so I think we do actually.

Wheeler: Your correct I'm incorrect it is a report so we'll entertain a motion and a second at the will of the city council.

April 26-27, 2017

Saltzman: We have an interesting report here from our consultant. We heard had challenge laid down by the aia to get this done in a year. Tell me we can do that. [laughter] sometimes processes overcome.

Wood: You also -- I think you heard tensions, also, from some of the testifiers and some differences of opinions. I've probably done 25 projects in the city, I've brought eight of those forward, those are minor policy, technical amendments and we all agree to what the problem statements are and the parameters are and those take a year, principally, because we try to do outreach. They like two months, at a minimum, because community groups meet once a month then they lose their process. Our legislative process, itself, takes six months going through one commission. This is a little more complicated in that we have two commissions, if not three. So I think that's one of the challenges and one of the things we'll be working on in the next two months about what the work plan is, maybe in a year's time. Some of the process improvements that don't require code amendments, that aren't legislation and law changes, Kara's been working with her team, as has been mentioned, on already instituting some of those implementation changes so some of the answers are we're already there and some of them is it takes a while.

Saltzman: I have a lot of respect for you, Sandra. If this turns into another comprehensive plan process, it really undercuts, I think, what we're trying to do here.

Wood: Absolutely not

Saltzman: You're telling me it's going to take a year.

Wood: I would say 18 months

Saltzman: 18 months?

Wood: 18 months is my guess right now I haven't scoped a project yet and I don't have agreement amongst our commissioner in charge and our bureau directors on what this project looks like and if we are doing outreach to historic districts, if that's included or not.

Saltzman: What's the budget for this project?

Wood: Two fte at bps and at bds. I'm not sure what it --

Fioravanti: We probably have two staff, maybe half-time, working on it.

Saltzman: Two half-time staff and two full-time at bps?

Fioravanti: Two full-time, correct.

Saltzman: I hate to be skeptical but sometimes I think that we do these projects and we stretch them out because we want to keep people employed and keep people busy and I think we're -- I would be really disappointed if this is dragging on 18 months, two years from now, we're still talking about ways to improve the design process. We have a great consultant's report here, somebody who is outside of the market, spent time talking to the commissions and boards you've already mentioned.

Wood: When I say 18 months I mean, 18 months to effective date, not 18 months to get to city council. It's one year to get to city council. We've been concentrating on what's in the report and the next few months, we'll be scoping and working with our commissioners in charge to move this forward. We're excited about a lot of the recommendations. So, we'll be in touch about that.

Saltzman: Okay. I'm rather struck when the consultant said that affordable housing was transgentle to this whole effort in my perspective affordable housing was really the genesis of this whole effort. So what am I missing here?

Wood: We did have a sub consultant working on the affordable housing aspect piece of it and, really, we were trying to fit the framework of all design review and it's a subset of development review in total. Unfortunately, we didn't delve as deep into affordable housing as we would have liked to. In the gatr process, mayor wheeler and commissioner Eudaly have been discussing and we have delving deep in that respect. Like mark mentioned,

April 26-27, 2017

Leland consulting group has looked at the recommendations to see what the affect would be on affordable housing and has some findings in there.

Fritz: I thought that wasn't the genesis of the project was it? The charge of the design consultant wasn't to see how it affects affordable housing?

Saltzman: I think the genesis for these discussions we've been having over the past year or so have been related, in part, to affordable housing projects, objecting maybe objecting is too strong a word, but having strong concerns about the time and expense of design review, the expense added to projects by design review. If memory serves me correctly and I'm not always the best on time lines, there was certainly an axes of connection there.

Joe Zehnder, Bureau of Planning and Sustainability: If I could just add to it, Joe Zehnder I'm the chief planner for the bureau of planning and sustainability. There's an axes of connection, what kicked this off is in the comprehensive plan, the desire to increase -- try to simplify the ability to build in mixed-use centers is where we'll see 50% of the growth. We need to build units, we need to build them in those areas and meet community expectations. One of the tools on the table, commissioners, was let's use design review and so we were saying we're going to expand design review. At the same time from the testimony you heard, there's constituents out there who, based on workload - - even the design commission would agree -- didn't feel like that would work. We needed to settle that issue. That was one of the motivations for it. And then since that, also, we've gone through the gatr process and this whole idea of the cost that actually early on, you had hearings of this with the housing bureau here, of what kind of role that permit processes play in the cost of affordable housing. It had two tracks from mayor hales office and then we started with the one related to the comp plan, two.

Wheeler: I'll jump into this fray because this is a good fray to jump into. From my perspective, my priority clearly is more housing supply sooner, at a lower cost, with less of a hassle factor while not creating garbage that we're stuck with for 100 years. So, I would actually say, I'm very appreciative of all of the broad recommendations that take into account how to build community consistent with our values. Many of the recommendations that focus on streamlining, taking some projects that don't need to go through this intensive process out of the intensive process and focusing on those projects that do need, therefore, taking limited resources -- the people who do this are volunteers, for the most part. They have lives, too. And they have to pay their own rent. So, I want to be mindful of that limited resources, as well and use that limited resource as effectively as possible. I think, in many regards, we're achieving simultaneous goals here. I want to cop to what commissioner Saltzman is saying. I definitely in most interested in how to speed it up, streamline it and get it online.

Fritz: I would comment that I think I could tell you numerous occasions where more haste has been less speed that if we don't give adequate notice in the recommendation thank you, by the way, for the report and all the details you went into. Very helpful. One is a bigger public notice. All the notice is to tell you that you can't make a difference and that's not going to help with our public process and public improvement in trusting our city so we had lots of conversations during the comprehensive plan where neighbors somewhat gingerly accepted higher density with the promise it would come with design guidelines and design overlays. I think we need to stay true to that process so this is a continuation of that and involving all of the communities -- not just the traditional ones, but those -- I appreciate your comments about getting notice to renters, for examples there's a number of ways we can increase our outreach. It has to matter that people participate, if we invite them to do so.

April 26-27, 2017

Wheeler: I love those recommendations, as well. I agree I commissioner Fritz. The -- before I got into the elective office thing, I was one of those people who'd walk by a site and I'd always wonder, what's going on here? Sure, there was some process going on somewhere in some room and it was probably an open, transparent public process and I wasn't into it at that level and I did appreciate when I was in another city and they had a great-- we're seeing more of that here, by the way, where you have a big billboard and a picture of what's being proposed there. Just simple stuff like that. You called it out. It's low and hanging fruit. It's no-brainer stuff we should be doing and we do have to acknowledge that we have a 50-50 split in the city between renters and homeowners. Commissioner Eudaly, I hope we have not lost you, are you still on the phone?

Eudaly: I am still here, yes.

Wheeler: Fabulous. I know it's sometimes awkward to do it by phone so I wanted to give you free reign here.

Eudaly: It is a little awkward, but I'll do my best. First of all, I just want to thank everyone involved for their hard work on this report and I appreciated comments from a whole range of folks, even when there was tension or disagreement. I think these are really fascinating and vital issues that are coming up and of course, unsurprisingly, I'm also very concerned with how we are impacting development, specifically development of affordable housing and it's certainly our intention to streamline and accelerate this process because while I don't -- there isn't a consensus among developers as to the utility of design review, there's certainly consensus that it's taking too long and that's costing them a lot. And so we are -- you know -- seriously looking at ways that we can improve that situation, but -- I'm just looking forward to reading this entire report, again, and participating more in the conversation as we move forward. Thanks.

Wheeler: Very good. Unless there's -- commissioner Fritz?

Fritz: I wanted to pick out a few of the things I heard. I'm confident the staff have heard them to, the threshold for the type of review is going to be a major issue that people are going to want to weigh in on, the entitlement issues is another. I appreciated Jeanne Galick's testimony about natural resources and that hasn't typically been a part of affecting the greenway. We need to look at the different plan districts to say one size fits all because the greenway is a really good example of it doesn't. I do think we should be adding -- looking at adding standards and guidelines that relate to both natural resources and sustainability and therefore, potentially adding to the commission, which might help if we do the same kind of thing we did with the citizen's review committee increase the membership or keep the -- what's -- quorum, sorry, it's getting late in the day. Keep the quorum the same, but have more people there so people have more ability to miss a few meetings. I'd like to add that to the report, that element of, yes, design guidelines are more than what it should look like, it's how sustainable is it and is it protecting the natural resources? I believe there's going to be a good discussion in respect to the different context and the areas, especially in regards to the historic districts and probably to some of the mixed use areas and the corridors. Some of them have a very different character than others and that's going to be important to neighborhoods to make sure that is maintained and the collaboration between the commissions design, historic and sustainability, I appreciated everybody who took the time to be here from those commissions and I -- you are the expert, if those commissions can come to a consensus or lay out to us what are the areas there are a policy choice that you want us to weigh into, that would be helpful for me. Thank you very much this is an exciting project.

Wheeler: Could I get a motion?

Saltzman: I move to accept the report.

Fritz: Second.

April 26-27, 2017

Wheeler: Commissioner Saltzman moved, commissioner Fritz second. Is there any further council discussion? Hearing none, call the role.

Saltzman: Well, I appreciate the work being done here, as I stated. I just hope it doesn't take so long to get to a final product and I just think that that's -- we spend entirely too much time working on things and I know we love the Portland process and we love Portland, but we've got to be able to tackle some good ideas and make those good ideas work and that means working for the people who love the build environment and caring about what it looks like and the people who live in that build environment and we need to make sure that all sides are being listened to. I think we can do that in less than a year, in my opinion. That is more consistent with the urgency here. I meant no disrespect for any of the commissions that are present today. My example about design commission and affordable housing projects are as related to me as my term as housing commissioner. I'm not casting judgment one way or the other whether those concerns are legitimate. Those are concerns I've heard and I've talked with the design commission about it and numerous other people. I want to echo, I appreciate Jeanne Galick's comments and there's something we need to look at, too, in terms of broadening the membership of the design commission and perhaps the planning and sustainability, as well. Thank you, all, for your work and work to come. Aye.

Eudaly: Thank you, everyone, again for your hard work on this. I do feel these are vital conversations to be having right now. Our build environment impacts our mind and our spirits, our health, our safety, our livability and I think it would be -- it would be a loss to give up this -- this input. I really appreciated the comments about engaging tenants. Thank you for that. And, also, the comment about -- well, just kind of elaborating on that. I think more outreach is key as we see, time and time again, the kind of shocks that people are experiencing over this rapid pace of development. If they could have more of a sense of -- of these decisions being something that they're participating in, rather than things that are just happening to them, we may have a happier community. So, aye.

Fritz: Thank you, everybody, for your report and for your conversation, as usual, land use discussions, I find them extremely valuable and important. After this, I'm going to over to metro to have another two hours of it and I can't wait. [laughter] the thing I was most intrigued by the graph at the beginning that showed that 60% of developments who can choose the standards or the guidelines, they choose to go the guideline route and wondering, that needs evaluating as far as why is that the standards are too rigid are they not the right standards. Is design review something that developers feel like is going to enhance their project, that they could have conversations with experts from the commissions. The way we grow does matter, that's one of the reasons people come to Portland. We're not saying slap everything up where you want to you can do both. Last year, throughout the process, we were saying, yes, you may be taking more density and we're going to make sure it fits into the context of the neighborhood and it's got appropriate design and affordable housing does not have to be ugly housing and commissioner Fish would be saying that if we were here. Thank you, very much mayor. Thank you, commissioner Eudaly. I'm happy to accept the report. Aye.

Wheeler: I'd also like to thank commissioner Eudaly, I'm sorry you weren't able to be here today but I also appreciate the seriousness you take with multi-tasking on important issues. It's been a pleasure working with you on this and I appreciate the partnership you've forged between the bureaus to make this happen and we'll have to continue to collaborate moving forward. I appreciate the work that our bureaus are doing on the gatr session, related, but not part of the doza on the permitting process. Thank you, commissioner Eudaly. I want to thank the bureau staffs. Mark, I want to thank you for your excellent consultancy. We heard a lot of great thoughts and ideas today and they don't go

April 26-27, 2017

on to the cutting room floor with the adoption of this report. I think people raised issues. I took copious notes about things that captured my imagination and could be ideas down the road. Today, I'm going to accept the report because I think it's the right steps and the right direction. I vote aye, the report is accepted. We are adjourned. I have one clarification for tomorrow. Tomorrow, the city council meets at 2 p.m. There is one item on that I'm pulling. If you're coming tomorrow to hear item 428, which is the goals to transition to 100% renewable energy, we're going to pull that back to my office to better-coordinate with Multnomah county. That item will be pulled tomorrow, just fyi. We're adjourned.

At 4:59 p.m. council recessed.

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

Key: *** means unidentified speaker.**

APRIL 27, 2017 2:00 PM

Wheeler: This is the April 29 afternoon session of the Portland city council. Karla, please call the roll.

[roll call taken]

Wheeler: So we are privileged today is bring your kid to workday at the city of Portland. We have extended an invitation for our great employees to bring their kids here in the chamber. We have lots of kids. Could all the kids raise your hand today? Look how many kids we have here: [applause] all right. Thank you for being here. So we're privileged to have you here, kids, and lot of the things that we decide up here today will impact you for many years to come, so we're really excited to see you here. Maybe you'll be inspired to be the next mayor. Maybe sooner rather than later. So welcome. The first item, please.

Item 426.

Wheeler: Commissioner Fish.

Fish: Thank you, mayor. This week Portland is hosting international and local urbanists for conversations about how to build cities that are in harmony with the environment. We actually have a different way of saying that here locally. We call it nature in the city. Yesterday our host organization presented a workshop about adapting to climate change, integrating nature in the urban environment and incorporating green infrastructure in my urban design. As part of yesterday's schedule the delegation visited a number of local sites to see this work in practice including crystal springs where we welcomed spawning salmon back for the first time in our lifetime. Also this week our esteemed guests from around the world are planning an international symposium on the nature of cities and discuss how to highlight the great work of our region. Portland is home to a number of leading voices in this field, three of whom are here to tell us more. This afternoon we welcome Mike Houck, the director of urban green spaces institute. Mike Wetter, director of the Intertwine Alliance, and David Maddox, director of the Nature of Cities, joining us from New York City. Bob Salinger is here with us this afternoon.

Wheeler: I want to point out that I think this is the first time we have had a majority commissioner people testifying in short sleeved shirts. Which makes me wonder is it sunny outside?

*******:** It is.

Wheeler: Good. Excellent.

Fish: Welcome.

Mike Houck: Mayor, commissioners, the reason we're here is that some five or six months ago David Maddox gave me a call, I serve on the board of the Nature of Cities, saying he wanted to have a planning meeting to plan this conference in 2018 and of course not surprisingly to you I said it must be in Portland, Oregon, and here we are. We have a fabulous group of international -- I'll mention my ultimate hope was to have the 2018 international gathering in Portland or certainly in the Emerald Corridor or what we know as Cascadia, Vancouver, Seattle, importantly. We lost two people immediately to the new travel restrictions. One of whom was from Holland who happened to have traveled unfortunately for us to Iran the year before and was denied admission, so I'm guessing in

April 26-27, 2017

fact one of our participants said not in the u.s. In 2018. So I'm hoping among the cities we're considering perhaps Vancouver might win out. I actually just want to comment and congratulate your staff and you for having such spectacular staff. On the planning committee Kaitlin Lovell, toby quarry from the bureau of environmental services participated in a day and a half session to try to figure out what we would do in 2018. On the Westmoreland trip we had Rhonda Fast and Emily Roth. I have to say that the internationals in particular some of the locals were totally blown away by the dedication of the staff and their knowledge. I helped lead a tour of the central city looking at green infrastructure, active transportation. Amy Travowitz from bureau of environmental services and Greg raisman from pbob both helped plan the trip. They spent quite a lot of time and put together a very quality trip. Mark raggett from the bureau of planning and sustainable, Sarah harple from the Portland development commission, joined us in two places, one was the post office, the Broadway project, we stopped at pnca to give the internationals information about that effort. Then we wound up at the red at the very end to look at the green loop project. Mike abbate met us at tanner springs. He's director of Portland parks and recreation, but he was professional landscape architect when they designed tanner springs park with Herbert from Germany. Nathan Howard of the mayor's staff joined us on the entire trip, had very important things to say regarding the climate strategies that mayor and council have been pursuing. I wanted to point out that those staff people really helped pull this whole thing off and had huge accolades from our international guests.

Mike Wetter: Thank you, mike. I'm mike wetter, executive director of the coalition of 165 private and nonprofit organizations. There actually were an additional couple of reasons why this summit was held here in addition to that mike said it needed to be, the additional reasons were that for one thing Portland of course is known for way we have connected the urban with the natural. It's one of the things we're known for. Providing visionary leadership. I wanted to say that on the tour yesterday internationals did get to view the exhibit on the green loop at the red. It's another example of the kind of visionary leadership that the city is providing and that you all are providing to the city. That kind of idea really is transforming cities and people are interested in coming here and seeing how we do that because we are leading in that realm. The other reason that Portland was ideal is because in addition to connecting the urban with nature, we also are known for how we connect with each other. How we connect across professions, how we're connecting across the geography of the metropolitan region, and how we're bridging racial divide. We're doing that in a way here that allowed us to receive the international delegation as a community. So yesterday afternoon after the field trips we had one of our intertwine alliance summits at the zoo, where members of the community I think we had almost 200 people there, heard from the international presentations and then sat at tables of ten or so and just shared professionally across disciplines and across -- at this particular summit across geographical divide that were global. One of the things we did this morning is we as of Tuesday morning we had 165 organizations in the intertwine alliance including the city of Portland, bureau of environmental services and parks. As of today we have more than 180 because we made the internationals honorary members of the intertwine alliance which means we now have a global footprint. You'll I think be hopefully leading this kind of work in Mumbai and Toronto and Seoul and many other cities across the plan

David Maddox: I'm David Maddox from the nature of cities. I live in New York. I think I speak for all of the 22 internationals here that it's a great honor to come to Portland partly because many of the things that you do exemplify the values and ideas we talk about at the nature of cities. One of the things we want to emphasize, it's the nature of cities, not in cities. We think the way we build cities as being collaborative green but it's the idea of character of the cities. Of is the action word. Character of cities through participation,

April 26-27, 2017

green activity, progressive ideas around the city building. The nature of cities is 600 contributors of all different types we think of cities as collaborative much like Portland has been active in we are artists, activists, architects, ecologists, sociologists, engineers, designers. We had 22 people from our group speaking this week talking among each other and seeing interaction with folks from Portland to talk about how we can share ideas hear about what Portland is doing, talk about what we're doing around other places of the world and figure out how we can share more of these ideas among cities around the world from Portland beyond back to Portland. We have a couple people here to introduce that are part of our network that were here. We have a bunch of urbanists. These exemplify the diversity of types in the whole network. Shantel vanhoum is a program officer at iucm, international union of conservation of nature in Brussels. Ann Marie Blister is a professor, a planner in Toronto. Cecilia Hertzog is a landscape architect in riot. P.k dass is an architect and activist in Mumbai. Katrine glossins is an artist in cape town. Patrick lidden is an artist, environmental artist in Seoul. Francois mansebo is a professor in Paris. These are the kinds of voices that we try to bring together to talk about the idea of city building from a very diverse point of view with greenness at the center. One of the reasons we're moved and honored to be here in Portland is that Portland has historically been so in the front of these kinds of ideas, integrating different points of view that can make cities more resilient, more sustainable but very importantly more livable and just at the same time. So thank you for hosting us here.

Houck: They are here to push us to be even better.

Wheeler: Great.

Maddox: We were gloriously supported generously by the intertwiner and the urban green spaces initiative but also the bullet foundation and the nature conservancy in town have been very supportive including also the psu's indigenous studies program and institute for sustainable solutions. Thank you.

Houck: Robert is here from iss.

Maddox: Hey, Robert.

Wheeler: There he is. Mr. Liberty. Thank you so much.

Fish: I have a question. David bragdon, our former metro president, moved to New York city. Is he part of the work you're doing?

Maddox: He's a good friend. In fact, eight, nine years ago I was here for a land trust alliance rally and I saw David and mike Houck speaking on a panel. I talked to both of them. Later I invited bragdon to be a keynote speaker for a conference I was leading, so sorry to have had a hand in stealing him from Portland to New York. In fact, he's been thriving especially recently. He started his transit center. Nature of cities recently got a grant from him. Very much part of the kinds of things we're talking about. David bragdon would be the kind of person you would think of as outside the realm of greenness. That's why it's important to think of the nature of cities. He's interested in transportation but interested like Portland in an integrated view of all of these different parts of the city working together.

Wetter: I would add David bad docks and I and David was at David bragdon's new location, the transit center, presenting to parks officials and others in New York city about the possibility of starting an intertwiner alliance in New York city. If that takes off we'll be in touch with you, commissioner Fish.

Maddox: We should be so lucky to have an intertwiner alliance organization in New York city. I probably speak for all of the visitors internationally, we would all feel lucky to have an intertwiner in those cities.

Fish: Do we have time for a photograph with everybody and my colleagues?

Wheeler: Absolute.

April 26-27, 2017

Wheeler: The next item is the update to the county -- city of Portland and Multnomah county climate action plan. There was one other item on today's agenda which is formalizing through resolution the goal of attaining 100% renewable energy. We are definitely going forward with that, just to be clear, but we are taking that back to my office so we can better coordinate the release of that with the county. It's still going to happen but it's not on today's agenda just so people know item 428. Karla, the next item.

Item 427.

Wheeler: Good afternoon.

Susan Anderson, Director, Bureau of Planning and Sustainability: Good afternoon mayor, city council. Susan Anderson, director of planning and sustainability. We are here to provide you with an update on the climate action plan a lot has been happening in the past two years and with two new members on city council we thought it would be a good idea to give you a review. As a reminder, from this slide you see, soon -- we have been at this for a really long time. So we developed the first climate action plan in 1993 and commissioners Lindbergh and Earl Blumenauer were sitting in your chairs, they were champions. The picture on the left is the actual floppy disk I used to write the original plan on.

Fish: What chairs did they sit in?

Anderson: I believe it was that one. [laughter]

Eudaly: The same chair?

Anderson: I'll continue to make things up. Don't worry. We did an update in 2001 under commissioner Saltzman, another one in 2009 and then a whole new plan in 2015. The new plan has all the traditional sections of energy efficiency, renewable energy, more efficient transportation and more. The new plan includes sections on climate adaptation and preparation, what do we do when things change and special focus on ensuring equity, that it's woven throughout the plan and all Portlanders benefit from the impact of the plan. This plan recently won the C-40 recognition as best climate action plan in the world not something that people really care about, but for us and people doing the work, it's quite an honor and the work a lot of it goes to thanks to Michael and his team. A lot of great work has happened. It's not a plan sitting on a shelf somewhere, it's being implemented by government, businesses and individual residents in the way they live their everyday lives. Total carbon emissions are now down 21% since 1990 when we began tracking. Total emissions for the entire U.S. are up 8%, so we're clearly heading in a different direction. Our local and statewide and utility policies and actions and investments have really made a difference. Some people when you look at the slide initially said, well the reason the emissions went down is because of the recession. So we began to really pick the numbers apart and look at all of the indicators related to jobs and population and how did those interact we have missions. What we found is that from 1990 to 2014, population increased by 33%, jobs increased by 25%, but total emissions are down 21%. So more people, more jobs, but significantly fewer emissions. There's a lot of reasons for that. The things you would normally think of, energy efficiency, new construction and making improvements in things that are already built. More solar, more wind energy, less coal in terms of generation of electricity. More people getting out of their cars and all of our cars becoming more efficient. So the list goes on but even with this good news I think we should continue to be very, very humble because we only look really good because the bar is so low for the rest of the United States. Really for many parts of the world. So when you look at where we need to go it's an 80% reduction by 2050. We have an enormous amount of work ahead of us to reach our goal. The climate action plan has a very specific road map, with very specific actions and though it is difficult we very much believe that it is very doable. And not only doable but we believe that it's possible to save a lot of money along the way for

April 26-27, 2017

business, for government, for residents and we have shown that not only does it save money but it will also very much be an opportunity for people to make a lot of money by selling sustainable products, technologies and services that we have begun to use here and are now selling to the rest of the world. When Kimberly Branam comes up she will talk about some of the businesses that are making and selling products. The green economy sector is now including in the metro area 47,000 jobs, is responsible for \$750 million in exports to Canada, Mexico, Japan, China and other places and \$10 billion in domestic sales so this is a significant part of our economy now. In the beginning we were doing this to do the right thing in Portland. It's grown into an economic sector that is part of the engine really for Portland. So even if some people in D.C. don't believe that it's real I think we once again got local proof that prosperity and environmental quality really do go hand in hand. So I just want to thank all of you sitting in these chairs now. It's been a long road and we need to continue this work. I'm very happy to have the strong support of the mayor in terms of climate change being an issue that you care about and I'm going to turn it over to Michael to give you some highlights of some of the things that have been going on the past two years. Thanks.

Michael Armstrong, Bureau of Planning and Sustainability: Thank you. Mayor, commissioners, I'm Michael Armstrong with the bureau of planning and sustainability. I want you to be aware a key engine behind our climate planning work is my colleague Michelle Krem, who can't be here this afternoon. I want her to know we're thinking of her even though she can't be with us today. She's a tremendous part of our climate planning work. The 2015 climate action plan includes 171 actions at a broad strokes level. A lot is on track. By and large we are moving forward with the big things that council laid out for us to take on in 2015. I will share a couple of quick highlights and point to a few things we still need to dig into two major make progress. The last two years I'll go through these quickly. There's a long list of big initiatives that have come through city council. Couple years ago we had a requirement come to council that was to ensure that large commercial buildings, benchmark their energy use and compare themselves to national averages. The second year of reports came in to us last week so going down to buildings 20,000 square feet and up by and large they are complying and learning things through that process. Like so much of the kind of work we do this happens in partnership with Portland General Electric, with PacificCorp, Northwest Natural, Energy Trust of Oregon, everyone has a part to play to make this benchmark succeed. Later this year we'll have the first report on how those buildings are doing. That will become public this fall. Late last year first year we had done commercial energy performance, last year we brought to you a proposal around single family homes so that when people buy homes or are looking at homes for sale they have the ability to compare the expected energy use across a different range of houses. This proposal will now take effect January 1 of 2018. We are busily working to get the rules in place, make sure that the assessors who can provide these scores are trained, available, all of the mechanics of the system are ready to go. We're making progress. You'll see pieces come through council that need your consideration over the next few months. This is moving forward as well. This should begin to make a difference in helping consumers see the impacts and variation across different houses of how well they perform on energy. We're also trying to put tools in place to help building owners and managers who are want to improve the energy use of their buildings. A new program was developed by Multnomah County and the Portland Development Commission in partnership with others that makes financing readily available to commercial building owners who need access to capital to make the improvements, then they are able to pay it back through an arrangement that involves a property tax levy. This program is now in place. We're starting to get some buildings go through it. We want the performance and the tools that makes it easy for

April 26-27, 2017

owners to do this. Another major policy that came through city council actually each of the last two years was around restricting expansion of large scale fossil fuel infrastructure. The zoning code now in place prevents adding large scale new tanks right along the river where they present all kinds of hazards in addition to steering our economy towards fossil fuels. That's now in place. That is quite a milestone regionally and nationally. Buildings are one very large chunk of our carbon emissions. The other is transportation. I'm pleased that Leah treat is here from the bureau of transportation and she can share her observations with you shortly. Bike share obviously launched recently provides a new affordable opportunity to get around town and I think we're seeing good numbers for usage of that and hopefully that's a system that can expand over time to serve parts of the community. Housing. Another important piece of this. You're all extremely familiar with these details. The legislature finally upon long work by you and your colleagues removed the prohibition against inclusionary housing at the local level. You moved forward with new requirements which will now take effect and help us steer and make sure affordable housing happens where it's in proximity to neighborhoods that are walkable, well connected by transit and other options. This too is an important part of how we grow in ways that reduce carbon emissions but provide quality of life and affordability for all our residents. The comprehensive plan is in place. These are the foundations that don't even get a mention but they are fundamental to our policies going forward. We don't get to long term carbon reduction goals if we're not successful at integrating land use and planning. It continues to be fundamental to our work going forward. This is really key. We have brand new initiatives, things that didn't exist anywhere and still don't except in Portland. Last year city council put in place a new requirement that a house that is more than 100 years old slated for demolition must be taken apart by hand and valuable pieces of that house salvaged for reuse. This has got a whole range of benefits from reusing materials so that we're not having to source virgin materials. As those are reused to improving the neighborhood air quality instead of houses being bulldozed in a cloud of dust if we're lucky and all sorts of other pollutants if we're not, you get something taken apart by hand, much more carefully and safely. This requirement has been in place almost six months. We will be back to you next month with an update on how that's going and possible tweaks to that program. No climate plan presentation is complete without featuring the Tillicum crossing. This is such a fantastic both symbol and functional piece of infrastructure that shows where we immediate to go and it shows where we are going. The largest bridge in north America carrying people in ways that help meet our climate goals, it's also future proofed in terms of being built to withstand the expectation of varied river levels in the future as we get more intense rain events, we need to be prepared this. This bridge was engineered to be prepared for that. Really fantastic in many, many respects. Many programs take that we roll out are oriented around putting resources in the hands of businesses and residences. The fix it fares is one example of that. This is a photo from one of the three fares we run each year. We get about 1500 residents. We try to hold these fares where they are accessible to communities that historically have not had access to resources so that's helping provide both inform aches and access to incentives around energy efficiency and also water conservation, transportation options, a whole host of home-based efficiency opportunities for residents. Consume more here, recycling and composting, we'll be back next month with a proposal for solid waste rates going forward. This composting program that allows us to put our food in with our yard debris, ticked up weekly, garbage picked up every other week, that policy change took effect in 2011. Five years in now the rates that we bring back to you to recommend for next year will be lower than the rates at the time this program took effect in 2012. 2011. So that's because residents are doing a fantastic job. They are using the program, the more food we get out of the garbage into the compost

April 26-27, 2017

the lower the rates go and the haulers have been tremendous partners in this they find efficiencies it flows back into lower rates for residents this has helped achieve a recycling rate on the order of 65%, among the highest in the country. That's something each of us has the opportunity to do at home and at work. We're seeing good results there. In the long run we don't get this done without community partners. This is the community orchard in Lents. This used to be -- was first acquired by the bureau of environmental services and was able to be converted into a community orchard through work by multiple city bureaus by really dedicated community participants by neighbors by families and this orchard at its grand opening last year, 150 people out there in the pouring rain to celebrate something really terrific. Fantastic use of resources where we have them getting them in the hands of people that can use them. We just heard from the interwine alliance. I don't need to reiterate all of the tremendous work there. Bes, parks, many, many community partners, interwine chief among them. We have gotten 200 acres cleared of invasive species. Working at adding to the tree canopy across the city, planting trees at schools involving 700 students and teachers this. Serves us well both for absorbing carbon dioxide out of the air, also helping to cool the city and manage our rainfall, manage our storm water and clean the river as it flows. Really tremendous benefits all around from bringing nature into the city. One of those benefits is helping keep the city cool. We are already seeing hotter heat waves in the summer. We are trying to improve our understanding of where our most vulnerable residents live. People who don't have access to air conditioning, people who have higher rates of asthma, people who may not be able to get to or be comfortable going to a library or another place where you have access to air conditioning. So we're measuring that and this is a very nice partnership with Portland state university which is doing some really groundbreaking national research. Taking measurements as you move foot by foot, meter by meter across the city to understand what the conditions of development are that lead to hot spots and cool spots so that as we continue to develop we can be designing that development to make sure that neighborhoods stay cool. So this is great work. This will take a long time to achieve but as we go we need to be making the right decisions. PSU has been a great partner on this. Another change over the last two years, there's now a 10 cent local gas tax. Anyone who pays attention to transportation finance knows that we are using less gasoline in Portland than we did even 20 years ago despite all the population growth. It's a product of all of these efforts to help make it easy to get around the city without relying on a car. Good for carbon, good for air quality, public health, pocketbooks, bad for revenue to maintain that same transportation system. This obviously was an important step in the right direction. There's clearly more work to be done. Both to maintain our system and make the investments we need for this to be a functional transportation system for everyone. Couple notes on the city's own operations, walking the talk is a critical piece of this. We continue to make investments in almost every single bureau that reducing our energy use, improving or on site renewable power generation, solar, electricity from biogas at the wastewater treatment plant, very exciting new project that's under way to use biogas in the wastewater treatment plant as a transportation fuel. Bureau of environmental services pioneering a fantastic effort there. We also have the nuts and bolts change like converting all the street lights to led bulbs. The largest energy efficiency project in the city's history. This is really good for the taxpayers. Really good for carbon emissions. Really good, steady progress by almost all city bureaus. You see also in fleet city fleet now has across all city vehicles we have 130 electric vehicles. Some of those plug-in hybrids. More than half fully battery electric vehicles. We have a new electric vehicle strategy adopted at the end of 2016, a big focus of that is making sure we have access to charging throughout the city and particularly in multi-family properties where if you own your own house and you have a garage, pretty

April 26-27, 2017

clear what your option is to charge. If you're a renter or you don't live in a multi-family property, it's not obvious what your options are. That's a barrier. We need to address that. We're working on that. Finally, all this stuff happens in partnership. I spent a long time talking about partnerships. One in particular I want to note is work together with Portland state university, psu put its own resources toward funding interns who are working to carry out their priorities from within the climate action plan. So psu funded ten interns with different organizations around the city as a cohort so they were able to support them. Really fantastic piece of a larger partnership between the city and psu around climate action. Great work there. We are also working very closely with the cully neighborhood which is doing a community action plan. Volts, a climate and environmental justice plan. Portland african-american leadership forum also doing an environmental justice and climate action plan. We want to support the community efforts their leading them in any way we can. Exciting work around community action. Okay. There are a couple of challenges and some of these have to do with detailed policy things like in Oregon we have a statewide building code. The energy performance has not been strengthened in a number of years now. We used to be a leader in this area. We have fallen well behind California, Washington, other states. We need the state to move forward on strengthening the building code. That's something we can express and are expressing to them. One area where we have challenges I mentioned funding for transportation improvements. That's a long-term challenge. We need to keep working on that. They certainly we have challenges in terms of new direction coming out of the federal government. Some of that is really grand energy policy things, like the clean power plan. The things that I we'll see affect us locally are maybe less visible in the big conversations but they are things like the fed's either reversing or certainly not advancing things like appliance efficiency standards. They end up making an enormous difference to household budgets, business expenses. Things like fuel efficiency standards for vehicles. Those are very likely to be relaxed. Just bad for our economy as for our carbon emissions. Even like the energy star label helps people identify what's an energy efficient appliance that entire program is proposed for elimination in the initial budget proposal. Those could be really significant challenges for us going forward. We'll see how they play out. In terms of next steps, truly we only get this done if we continue to work more closely than ever with the county, with pdc, Portland state, community organizing, pbot. We want to work closer with the utilities which are making great steps forward in terms of supporting state legislation to continue to add renewables to their portfolio. We need that trend to continue. If anything to accelerate so we want to work with them on that. We need to deliver on our integrated goals of climate, equity, affordability in big development projects like the Broadway corridor, that area surrounding the post office redevelopment. Even in our own Portland building reconstruction, making sure we do what we can as we can. With that I mentioned a couple of things that will come back to council. We have a number of our community partners with us today that we would like to any of the to give you brief testimony as well. I think we're happy to answer questions now or perhaps hear from them.

Wheeler: Why don't we hear from them then hold questions for the end. Very good.

Armstrong: I see chair kafoury here -- she may not be here. Okay. So we have Kimberly Branam from pdc, Leah Treat with pbot, and Vivian Satterfield with opal and Robert Liberty with Portland State university.

*****: Bring your own chair.

Wheeler: Nicely done. Good problem solving. Good afternoon.

Leah Treat, Director, Portland Bureau of Transportation: Good afternoon. Leah treat, Portland bureau of transportation. So the climate action plan is a multi-bureau effort as you've heard not only to plan but also an implementation and so we're pleased to have the

April 26-27, 2017

opportunity to join bps, pdc and community partners talking about our efforts and successes and work ahead. For transportation reducing carbon emissions means making it safe and convenient to walk, bike and take transit. It also means that we need to be working to reduce our own impact on the infrastructure system, for example the led retrofits are an important component that we are contributing. Along with the led conversions, just bookmark to say the savings we have generated from converting the leds city-wide have been significant enough that we have been able to take those savings and reinvested into doing more led conversions, so it wasn't originally conceived that we would be able to do the ornamental lights in the center city and we saved enough money we're converting those too. We're continuing to reinvest in reducing our impact. We have also made significant investments in pedestrian and bicycle infrastructure since 2012. We have invested \$46 million. We have installed seven miles of new sidewalks in east Portland, 80 miles of neighborhood greenways and have another 43 miles funded. We have built 20 miles of buffered bicycle lanes and we have another 10 miles funded and we have built 3.5 miles of protected bike lanes not including naito and we have another 8 miles funded. We're working on the development of a Portland specific protected bicycle lane design guide that is going to facilitate faster development of cycle tracks in the future. In 2015 we completed 32 projects to improve crossings in our bike network and we also have completed the streetcar loop and we have seen growing ridership on our streetcar system. Of course as Michael pointed out the Tillicum crossing we partnered significantly on the financial investment there. We also are investing money in safe routes to school. It has increased walking and biking to Portland schools by 35% since 2016. The participating schools in our system have a school trip commute rate of 64% active trip rates, well above the national average. Michael also mentioned bike town. Our bike share system that we launched in July of 2016. Last year 38,000 people rode bike town taking 162,000 trips. Our survey data that we have collected shows that 26% of users have reported using an auto less and 62% of our local users are reporting biking more since joining the program. So these investments are paying off. We're making progress on making it easier for people to get around without relying on a car. We're seeing increasing percentage of people taking trips by walking, biking or rolling and also in transit and we're also seeing the numbers of miles driven per person declining and this is happening while our population is growing. We also are seeing this in our carbon numbers. Our transportation emissions are now 5% below the 1990 levels and 14% below peak levels in 2002. There is still more work ahead. We have a lot of work to make transit more convenient. A lot of work for walking and bicycling to be safe and convenient. We still need more sidewalks. We need safer bicycling routes and we really need to strengthen our partnership with trimet so we can get expansion of transit service. We know that safe streets are what will incentivize people to choose low carbon ways of getting around. We need to provide safe streets for everyone, streets for all Portlanders from the oldest to the youngest including all physical abilities so everyone can move safely. We need to teach everyone to live and travel together. I believe education and awareness is a critical component. We also need to be enforcing safe behaviors on our streets. Thank you very much.

Wheeler: Thank you.

Kimberly Branam: Good afternoon mayor and commissioners, I'm Kimberly Branam executive director at the Portland development commission. So it's really a great opportunity to be here today to talk about the partnership and I'd like to begin by saying I appreciate the collaborative approach that Susan and her team, Michael and Michelle consistently show we feel like it is true partnership a lot of innovation that comes through that so that consistent approach. As Susan mentioned at a time when cities around the world are faced with this either/or prioritizing economic growth or the environment Portland

April 26-27, 2017

has shown that lowering the carbon and growing the economy are not mutually exclusive. In fact, the part of the story that is often not told is that for Portland our progressive climate policies are inextricably linked to our economic growth. Pdc has been working with the mayor's office and bureau of planning and sustainability to participate in a c40 climate leadership group data pilot with New York city, Vancouver, b.c., London, Singapore, Oslo and Copenhagen to quantify our respective low carbon economies and the findings revealed are unequivocally positive for Portland. What they found is that the low carbon sector is a large and globally competitive employer, well balanced across sub sectors within our economy and is a net exporter. The analysis clearly shows that there really is no either/or choice when it comes to climate policy and the economy. Portland's climate leader has created one of the largest sectors. Almost 10% of our city's economy is related to our climate leadership. So you have businesses like Columbia green, who is a green roof technology producer. Vestas, has its north American headquarter here, is one of the largest producers of wind energy. You have urban mobility technology solutions which has opened its new headquarters in old town, Chinatown. These businesses really focus on creating solutions from urban mobility through alternative energy and are creating fabulous living wage jobs. In the past few years pdc has built green cities partnership established firms are the go to experts in high performance energy efficient development. One example is the success of Kashiwanoha, smart city in japan, first in the platinum project which relied on a team for its master planning process including women owned place studio and zgf. On a local level we're proud of our recent launch of property fit program which was mentioned before and our supportive drive Oregon and the electric vehicle industry here. We have established within pdc a corporate connections initiative in partnership with Oregon best which promotes local innovators and energy technology and connects them to corporate investors. Energy storage systems, for example, received investment from a Canadian b.c. Firm at the last year event. We're working on many front to help the city achieve its climate action goals and are ever mindful of the importance of ensuring all residents and communities benefit from this economic expansion. The prime contractors that are performing on the properties that program must hold the federal designation of being a dbc certified or minority and women certified firm. We look forward to our continued effort with each of you and our local partners on climate action that has equity and economic benefits at its core. Thank you.

Wheeler: Thank you.

Vivian Satterfield: Good afternoon, mayor, commissioners. I'm Vivian Satterfield, I'm the deputy director of environmental justice Oregon. I serve as a member of the climate action plan equity work group starting in summer of 2013, so a lot of work has gone into this. Some of the groups I worked alongside in that equity work group included apono, my colleagues at the coalition of communities of color, elders, now folded upstream public health now revived. I think there may be another group. I'm sorry if I have forgotten who they are. 2013 was a few years ago. A lot of work by a lot of dedicated individuals since that time. This report is just an important check-in to keep us accountable to the goal we set from that time. I want to call out some of congratulate staff who helped build my understanding around actionable items we could include in the climate action plan. Especially Desiree Williams Raji, Michelle krem, and other staff that responded to our questions when we wanted to actually perform some of that process. So this plan is really ambitious but one that we recognize must be achieved, especially in this political time and moment. Our region has shown that we can plan and plan and plan for a vision of this equitable, healthful future. We committed to achieve a future in which echoing director of pdc, in which economic growth and people's held and the health of our environment are not mutually exclusive. The plan must be activated with leader from you all on this council

April 26-27, 2017

and elected leaders at the county. Especially excited about the announcement that senator merkley had on his 100x50 plan and also the pending city and county resolution as well. These are really important action items that are coming down. Also want to recognize leadership needs to come from our communities. So in fact we already have tremendous leadership in our communities when it comes to climate issues. Front line communities have long asserted that food security, transportation access, immigration, housing security, and police militarism are all climate justice issues. So there's an opportunity here to take the lead from these communities and I'm a perpetual organizer so of course I brought fliers. This Saturday we're rallying and marching as part of the people's climate movement calling for a just transition from an extractive, exploitive economy to a regenerative one. We're fortunate have support and endorsement of the bureau of planning and sustainability for this march as well. I have to get on a soapbox. I have the microphone. Climate change is only a symptom of a much deeper crisis happening worldwide. Ecological crisis, economic crisis, crisis of empire. These crisis's come from a current dominant economy and it's a system that only works for a few which relies on exploitation, extraction of resources and concentration of wealth and power. We must create a system that works for everyone based on cooperation, regenerative prophesies and governed by deep democracy. We have and will continue to show up to defend the content of this plan through its actual adoption. Our communities and ones that opal works with closely are immigrants, refugee, low income folks, people of color, youth, elders, those with disabilities. We're currently being targeted in this day and age and we really have the most at stake. Front line communities must be engaged in the development and implementation of climate change related policies first. The burden should not be placed on community groups to provide the research and best practices and policy precedents for these measures. We're going meet these lofty goals we must add capacity in that arena. So in order to meet many of the goals that are being outlined we must recognize that the investment must be significant and must be up front. That's going to cost money. It's real money. So we should expect to see dedicated resources in our city budget that really prioritizes the actions that are in this plan. We should expect them to be made first and available first for organizing, for education and engagement of our communities. This is a really critical time to be looking both at the climate action plan and also looking of course and discussing the city budget priorities. We'll be hoping to engage and hopefully you all will be there on Saturday as well.

Wheeler: Thanks for your hard work.

Robert Liberty: Good afternoon. I'm the director of the institute for sustainability solutions at Portland state university. President Olson sends his regrets that he couldn't be here today to testify. He's in japan studying among other things preparation for recovery from major subduction earthquakes. I'm here to applaud and celebrate your progress so far in implementing a very ambitious, multi-sided climate action plan. And encourage you to maintain that momentum and leadership. It's very important nationally for us to do so in the face of very retrograde policies at the national government level, policies which I think will not endure for long. In the meantime, it's up to communities like Portland to demonstrate leadership, innovation and the kind of partnerships that you're seeing celebrated today. I think there are grounds for optimism for even achieving your most ambitious goals including purely renewable energy resources. Why do I think that? Technological change is making solar and wind power competitive with fossil fuels in many parts of the united states right now. And battery storage, which is critical for things for places dependent on intermittent renewable energy sources will rapidly approach a place that also makes it competitive. We have opportunities in this region both because of the legacy of hydro power and commitment to policy change around energy conservation, renewables, to

April 26-27, 2017

implement a policy that would have been inconceivable even two years ago. Psu has been and wants to continue to be a partner on the climate action plan, both strengthening and implementation. Our university has its own climate action plan and our own update. It may or may not be familiar to you but one of the sets of objectives in the climate action plan is to have 80% of total energy from local renewable sources by 2030 and to have carbon neutrality by 2040. That is not going to be easy for us. We have a legacy of older buildings but we think it is achievable. That's one aspect of our commitment to you as a partner, which as a large institution, one of the largest employers in the city. The second is as a research institution as a place that has as its motto let knowledge serve the city. We have 120 faculty members affiliated with the institute for sustainable solutions. Their work is on practical, applied solutions to the challenges of sustainability and front and center is climate change. We have a multiplicity of projects under way with your city bureaus, certainly bps but also bes, and I think transportation, parks, many others. We will expect those to grow over the coming years and your contribution actually enriches the scholarship and student experience at the university. It's beneficial all around. It reinforces what I think is one of the defining characteristics of our region and our city and one of our real riches, which are the citizens who are active engaged and knowledgeable. No matter what their background is it's an amazing number of people with depth of knowledge and how to implement them. It's been a pleasure to begin working with commissioner Eudaly around accessory dwelling unit project which is going like gangbusters. I have to say I feel like I'm supposed to be facilitating mostly running behind this 30 or 40 people that span the spectrum from architects to bankers to developers and people working for advocacy for seniors and affordable housing. You'll hear more about that in the future. I want to celebrate what you've accomplished and urge you on and know that you have a partner with you all the way through Portland state university. Thank you.

Wheeler: Thank you.

Fish: Can I make one observation? I'm finishing a book called lion of the senate, an antidote to the times we're living in. It covers the period from the passage of the contract with America and the republican takeover in the house and then looks forward two years. It was just after the 1994 election that ted Kennedy decided he wanted to focus on lifting minimum wage and expanding health care for all Americans. The conventional wisdom was that with the house and senate having flipped and with a sea change in politics that that wasn't possible. Two years later, he got an increase in the minimum wage and he got a major reform of health care. So to your point that some of the head winds we're seeing may be temporary I suggest this book lion of the senate as a reassuring reminder that there's nothing inevitable about the hand that history deals you.

Liberty: Great to have a lion in the senate instead of lyin' in the senate, which we also have. [laughter]

Fish: Thank you.

Wheeler: Thank you. We appreciate your testimony. Do we have anyone signed up?

Moore-Love: One person. Bob proctor.

Wheeler: Come on up, sir.

Robert Proctor: I was hoping for more targets here.

Wheeler: There you go.

Proctor: Name is Robert proctor, live in southeast Portland. Before I give my comments I think I need to preface where I'm coming from. I started working on solar energy in the late '70s, working on my master's at Purdue. My doctorate research was in a different subject matter but in conservation. I worked for Bonneville power for 20 years. I did an economic analysis of what is now the energy component of building code in the four northwest states. I went into teaching, went back to the public utility commission in the state, working

April 26-27, 2017

under federal money on smart grid policy for Oregon and also demand response policy. I think that that's kind of important because of what I'm going to say. With regard to the section in the document on page sb1547 does not mandate coal plant closure. You will not find anything in that statute which requires either pge or pacificorp to close any of their coal plants. We know Boardman would be closing theirs but that was negotiated in 2010. They are going to close or switch to biomass. They have not made that decision yet. Let me say I'm an independent energy economist not looking for any money. Pge is proposing some additional renewables as a result of 1547. Pacificorp plans on meeting the higher rps with renewable energy certificates. Renewable energy certificates are these things that have value that people buy and sell but they are not electrons from renewable energy necessarily in this region but in this state let alone this city. And so for example you can buy a wreck from a Virginia utility who has a wind farm and use that here to meet your renewables requirement under state statute. That's an implication of that. So that the pacificorp primarily is not going to be building very much in the way of renewables in Oregon in Portland in Multnomah county to meet its requirements under 1547. As of right now. I just had a journal article published last month that goes into 1547 and its limitations and what it doesn't do.

Wheeler: Since we only have one person signed up let's give him two more minutes to get through his point so he doesn't have to rush.

Proctor: Thanks. So right now pacificorp is planning on operating at least 15 of its coal plants into the 2040-time frame. The details of that are in my journal article. So I think this is not just wordsmithing in the document. This is huge. This is fundamental. It's the footing that everything dealing with the electric sector rests on. Because of the passage of 1547. Moving on to the section 2030 objectives beginning on page 16, item 1, building and energy on page 16, bullets used renewables can be 50% of energy used in all buildings with 10% produced in Multnomah county there needs to be clarification there. I don't want to take the time to go into that. I would like to be able to work behind the scenes with appropriate staff but I think the bottom line is that whatever we do with contracts and law and renewable energy certificates and so forth, that doesn't determine how electricity flows. The electricity flows like water. It goes the path of least resistance. Physics determines electricity flows, not what we do institutionally. That's really hard to keep separate but it's crucial. I would say that there needs -- because of what I have just said, the building and energy goal on page 16 I don't know how that's going to -- I don't see how that's going to be met. On carbon pricing 1h, page 20, it says it's in progress. I don't know where that progress is in the state of Oregon. There was an sb1574 last year that died in committee which was cap and trade, not carbon pricing. I don't know anyone happening in this state anywhere on that issue. Quickly, the last thing, electricity supply, item 3a, page 22, also in progress, should be noted as only starting. Because of what I just said. 1547 did not require coal plant closures. And it does not require them to be phased out by 2025 as the plan currently says. And I have already noted the fact that pacificorp will be running their coal plants 15 out of about 30 coal plants into the 2040s.

Wheeler: Thank you, sir.

Proctor: I have tried -- I have had some dialogue with Nathan and I tried to -- I don't know how we can better -- how he and I can better connect on some of this stuff to see --

Wheeler: We would be happy to connect you. I can't see if Kristin is hiding back there. Very good.

Fritz: You can email your speech.

Proctor: We have been emailing back and forth.

Wheeler: Thank you. We appreciate your testimony. Susan, could you come back up?

April 26-27, 2017

Fish: Last year I sold my house and we were dutifully doing composting and recycling. I'm now in an apartment building and there's no composting. So the other day my son and daughter said, what's up with that? What is our thinking in terms of some kind of transition to the multi-family content?

Anderson: We have been working on it because the problem is there's no yard debris. So the easy answer is it's messier. So we have to come up with a system. Now when you dump it in with the grass it soaks it up. There's this much food waste and this much yard debris. For an apartment building it's not like that.

Armstrong: Apartment buildings arrange their own garbage recycling composting collection. It's possible for the building manager to arrange to have food scraps picked up. I think it's 100 some multi-family properties that do have food scrap collection but it's at the discretion of the property owner. We are working on this right now one of the challenges is with multi-family is there are so many different building typologies, from the fiveplex that's not that different from single row houses to the big tower. You need a really different approach depending on the building typology. Our current regulations treat it all the same so we're trying to dig into, okay, we have 100 some properties that already do this. What can we learn that will let us standardize this for different building types?

Fish: So that makes perfect sense.

Anderson: If you want to do it, we will be there to help your property manager set it up.

Fish: As always you're one step ahead of us. Patti mentioned to me the other day that we have a 13-year-old at home that needs a public service project. [laughter] actually I thought this would be a very interesting thing for a young person in our building to investigate and then figure out what's possible and maybe present it to the landlord. So if you could point me to where on the website I can direct my son and then he will do some research and my guess that is there are a lot of young people in the city that might be encouraged to work on thinking how their building could participate and along the way learn something about the climate action plan. Voluntarily or involuntarily learn about it. Patti thinks this would be a good learning experience for our son. The second thing I wanted to ask you is now that I live in a very dense urban area in goose hollow I'm more aware of the leaf blowers. Particularly because they operate at odd hours and they are incredibly noisy. My recollection is once upon a time you said they are also big polluters. Where do we stand with these gas-powered leaf blowers in the context of our climate action plan?

Armstrong: So leaf blowers are big pollute nears terms of air pollution. In terms of public health impacts. They are not big in terms of carbon dioxide emissions. From a climate action plan perspective, it's not something that will feature prominently from a public health air quality and also nuisance perspective there's certainly an opportunity. We look into this some years ago and I'm trying to recall where it led us. I will see what I can find.

Fish: The three things that jump out at me, one, people use them at all hours. When they are outside of the normal hours that you're allowed to make noise they are really noisy. They are shockingly noisy. They reverberate off the windows. Number two, they are very inefficient. I have people, neighbors, who use them to move three leaves that are actually pinned down because they are in water. Really? This is why we need this piece of equipment? And three, if as you say they are big polluters, I wonder whether at some point we consider whether they are necessary in our city.

Wheeler: They are truly one of the worst inventions ever. It was sort of the '80s version of the cell phone, something that never should have happened to modern society. That was a good rant that you forgot the one where you have one set of people blowing the leaves this way and a completely different set of people blowing the leaves back. It just sort of its the same pile of leaves going back and forth and eventually just gets dumped in the street to pick up anyway.

April 26-27, 2017

Fish: My favorite is my wife and I get coffee around the corner from where we live every morning and there's a guy who works in this complex comes out with a leaf blower and blows us while we're sitting there. [laughter] what happens is you get this dust storm of dirt and other debris. Is this really necessary? I would like to know more about it.

Wheeler: With that quickly turning to commissioner Eudaly on a different subject no doubt.

Eudaly: Well I have a few questions. The first one is I know Audubon society expressed some concerns about our conversion to led lights and the particular type of light we chose in combination with a nonrecessed fixtures. So I'm wondering if as we're moving forward are we making different choices. The concern was that the brightness could potentially impact animal, plant and human life. Or health.

Treat: I can -- sorry. I'll get you more detailed follow-up information but we have received a lot of inquiries and complaints and concern because they are brighter. They are pointed more directionally down. There's less light going up but they are more bright pointing down. We're not looking at changing the types of bulbs that we're using. We have also can go out fyi, if it's too bright we can make adjustments and dim them. We have done that. I will send you more follow-up.

Eudaly: Thank you. Second are we considering property clean energy options for homeowners, low and moderate income homeowners who may not be able to access conventional bank loans and would like to make clean energy improvements for homes?

Anderson: Currently we are not allowed to do that. We're not allowed to do residential because of statewide law right now and federal law. It came out maybe eight years ago is that we started with residential and that's how we developed clean energy works, which is in habit. We wanted to come up with a financing tool that would allow people to put no money down, be able to finance their home improvements and pay it back over time with the energy savings. So we started that as part of the bureau of planning and sustainability, realized two years in that it would be able to run quicker faster smoother if we made it a nonprofit, spun it off out of the city. Those tools are available. It's never easy for any low income person to want to enter into any loan arrangement and in habit -- it doesn't -- it may not be called a loan but it walks and talks like a loan just like anything else. So having to put that money up being able to get that money and then being able to have an arrangement where then the rest of the loan can go with the house when it's sold is a great idea. We found that we targeted low income families in our first 1,000 homes we tried to do and again it was -- we didn't want to put that kind of burden on low income families and we found out that in fact there were only a very small target group that owned homes so that leads us to the next thing, then how do we help renters who are in single family homes and target the homeowners. We're working on that.

Eudaly: That was one of my other questions. There's very limited program for low income renters to do kind of weatherizing, not actual clean energy improvements so much.

Anderson: Years ago -- we mentioned the fix it fair. It came out of a settlement years ago where we actually invested in low income homes. We took part of the franchise fees and said why don't we take a little bit of this and let's do one major improvement to maybe 500 to 1,000 homes a year, let's do the major insulation, floors, down along with that the community energy project, a nonprofit, did the rest of the package with volunteers doing that. Probably 10 or 15 years ago that funding just went away. It no longer came out of the franchise fee but it was at a time we had shifted the franchise fees from 3.5% to 5% from the electric utility. At that time several different energy conservation programs -- there was a nexus there. But that's gone away and we're happy to talk about looking again at the current franchise fee or expanding it to enhance the work that goes on at the energy trust, for example.

April 26-27, 2017

Eudaly: I would be interested in that. I would like to see scoring for home energy for rentals as well as houses for sale. I think that that's information that renters certainly should have a right to. It's also something that landlords should be taking into account because some homes are incredibly expensive to run on top of the rent if they are not energy efficient. Lots of questions here.

Anderson: We're ready to go to rentals whenever we think the next step is ready. We did homeowners first.

Eudaly: If you need anything from me -- my final question is looking at the 80% of residents that will be able to easily walk or bike and lower income populations and communities of color will inequitably benefit, that's assuming they can still live in the city. So I'm wondering if somewhere in this plan you're looking at impacts of lack of affordable housing at how displacement is affecting our climate plan because we have so many workers who are forced out to the outskirts or out of the city altogether. That would be a really interesting frame for this for me personally.

Anderson: Some of the work we did in the development of the comprehensive plan which you didn't have the benefit of sitting through, 300 hours of work as some of the rest of council --

Eudaly: I went to two meetings on that. But yeah.

Anderson: The focus was on mapping disparities and people that were being pushed out. Sort of which are the next neighborhoods that are about to potentially go.

Eudaly: Right.

Anderson: So we have looked at how could that impact to some extent energy efficiency and the ability to pay and the ability to have access for transit and such. Not in a big way. I would love to go over the maps with you and show you how we came up with that work.

Eudaly: It seems like an essential piece of the conversation to me. We know that people of color, seniors, people with disabilities, all of these people are more likely to be overrepresented in that low income population and they are all at risk of being displaced. Those are the people that most need easy access -- not necessarily walking or bicycling but public transit or compact neighborhoods. We still need to get together for that beer.

Wheeler: I just have one question based on public testimony. I assume that we will constantly fact check the document and make sure that we're accurate in terms of representation about legislation and things like that.

Armstrong: We received some written comments from him today so we'll follow up with that.

Wheeler: That's very helpful. I apologize, commissioner Fritz.

Fritz: Following commissioner Eudaly's questioning, I was worried about the status of the equity implementation guide which for those at home is the tool to help staff implement the action items in ways that advance health, equity and prosperity for low income communities and communities of color, those in east Portland.

Armstrong: We are still working on that. We have some materials up on our website about the process that Vivian described in terms of everyone putting equity into the plan and how it's implemented. You know, it's difficult. It's important. So we want to get something that is going to be of service to staff and the community. It's still coming.

Fritz: Good. I remember director Treat directed that the LED lights should happen first in the eastern parts of the community that most needed more safety on the streets. I appreciate that but next time if you could include that I would appreciate it. My second slightly less of a big picture when we were in Lents I asked the community how is recology going commissioner Fish will remember an extremely acrimonious hearing when we planned to have a food scrap transfer station there. I was told it shut down. So is there somewhere else where the food scraps are going, getting transferred?

April 26-27, 2017

Armstrong: Yes. Primarily they go to metro central so the transfer station in northwest Portland, and from there residential ones are taken to Washington county where they are composted.

Fritz: That's where the among the tank farms, right?

Armstrong: Transfer station.

Fritz: The transfer stays -- yes. Related to that, last time we discussed this we had a question about city hall compost which were only allowed to put food scraps in which then has a biodegradable bag, large one, that sometimes emptied with two tea bags in it. It's also annoying to have to throw away things that at home I would put in the compost. Can you give us an update on that program and how that is working?

Armstrong: Sure. This is the challenge where the program for composting at home is different than what we can do in commercial places. Including public institutions. At home the food scraps and other compostable materials are actually composted and so we can take a much wider variety of materials. Businesses because we get a much larger volume of actual food scraps those can be put into an anaerobic digester and used to create methane, biogas component of which is methane used to generate electricity but it's more restrictive about what actually can be digested. So that's why in city hall and in other workplaces we can't make the same range and sort of the -- food, soiled paper kinds of things that we can at home because it's digested rather than composted.

Fritz: Right I was hoping for an update on how is that going? How much scraps get put in there? And then isn't there an option for having a second bin which would be for pizza boxes as well as the end of the pizza crust?

Armstrong: I think hypothetically yes; I think—

Anderson: Part of the issue really is that we regulate residential garbage and recycling and compost and we don't in the same way have franchises for commercial. Commercial then—composting program is set by metro and so we have a little bit of lack of control there. I would be happy to chat with you about the advantages or disadvantages of wanting to have a franchise system for commercial garbage and recycling.

Fritz: Just going back to your original question commissioner Fish, my son and daughter-in-law live in a multifamily place that does have composting, I think their close some restaurants that has a lot of food scraps, but I'm not much otherwise. It's interesting because I bring my clam shells and batteries from home to recycling here sometime bring stuff from here to recycle at home. It seems like there should -- if we have gone to everything in the same bin at home, it doesn't reduce the waste to the city buildings that go to the landfill. Thanks very much.

Fish: One more question, mayor. I just remembered. When we closed down our house and moved to an apartment last year, we radically, you know, reduced our footprint and so we did what I think a lot of people do, which is we went to the reuse and recycling places and just gave away our stuff, furniture, community warehouse, all my son's school stuff, scrap, you go down the line. And it occurs to me that because it's decentralized, it takes a lot of work. Some places will send a vehicle to your home to get all your stuff. Do you foresee a day when the city helps jump-start a single location where someone could go and drop off clothing, furniture, paper, recycling, whether they're selling their house or doing spring cleaning?

Fritz: For the spring cleaning, you can do that for the neighborhood clean-ups, you just take your car load they do that for a fundraiser and several of them are coming up next month.

Anderson: There are hundreds of non-profits and small companies that make their living doing this so one of the things we can do is resourcefulpdx.com. You can go to the website and find the closest place that will take all of those things. It's like the garbage system, we

April 26-27, 2017

could have closed down all the individual haulers a long time ago and had the city pick it up and had one hauler, but this is a pretty big, small business kind of sector, this secondhand sector. I think we could do a more complete and robust job in terms of having one place, which we do, resourcefulpdx.com that people can go to and find where all these other places are.

Fish: I wish I knew about this website before, but I will go and check it out. That's a convenience, knowing as you're breaking out all your stuff, because we gave away of stuff. I have the advantage of knowing what some of those places are and then we worked it out. Every time someone moves, or when they sell a house or they downsize, there's this huge opportunity. I love that there's a website where you can go and get current information so I'll check that out.

Anderson: The key issue, really there, then, is we could get to the 80% reduction in emissions, but if we're buying such a huge amount of stuff in the first place, that footprint doesn't get accounted. We have done one of the first looks at counting the emissions of the stuff we buy within Multnomah county so we have that data and its part of this report here. Looking at, you know, from our dollars, what is the impact on climate because it's very different, then we could reduce all the electricity here but if we are buying things that are made in places that aren't doing all those things, it's still our fault, or whatever you want to call it. That's the next five years of work, how do we impact how things are being made.

Fish: When you do your psa on that, I volunteer. I can attest to the fact that it is incredibly liberating to get rid of all the junk you don't need and surround your stuff with you love. Its necessitated reducing our living footprint by 75%. It actually is very liberating not to have all the clutter.

Anderson: That's why I wear the same suit every day.

Fritz: I have one more thing thank you mayor and thanks' to Clair Adamsick on my staff for reminding me about this. One of the main areas where I see a risk of not achieving by 2020 is the tree code. That we passed it in 2001 and we were not able to implement it until 2014. It needs fairly significant revisions. And yet the council has chosen not to fund those provisions we've done some minor tidying up around the edges without addressing the real problem that we're not saving large trees that do help cool off city. It's interesting in your heat map oh that's Tryon creek state park, that's forest park and Powell Butte. So, I just highlight that, colleagues, because if we're really serious about this, which I believe we are, we do need to do a tree code update maybe not this week, but next week would be very good.

Eudaly: We are looking at that, at bds, I've already flagged a few issues with the tree code. One more thing. I have had a desire expressed by some of the deconstruction folks for a one-stop drop center, such as commissioner Fish suggested, not so much for household items, but the materials from the deconstruction, especially if we increase that date range, there's not necessarily the capacity to move all those materials out through retail locations, so I want to put that out there. And I have an idea for a spot for it.

Wheeler: Okay.

Fish: We'll maintain the suspense. [laughter] I move to adopt the report.

Fritz: Second. You meant accept?

Fish: Accept the report.

Wheeler: Please call the roll.

Fish: Thank you for an excellent report. Thank you for the strong partnership between your agencies and all our bureaus. I got a front row seat into how that magic happens around the biogas and it's actually very exciting to marry the expertise in your shop with

April 26-27, 2017

the values and the directions that have been given to the bureaus. So, thank you for that good work and I'm proud to partner with both of you.

Eudaly: Aye.

Fritz: Thank you for this great work and I appreciate the annual update. Thank you, Mr. Proctor, for coming in and sharing your expertise with us. I hope you'll meet with the staff and guide us with your background. I'm impressed with all of this and i'm looking forward to the second part. Mayor, I know you're working with some of the providers to switch us to 100% renewable energy by 2050. I was thinking that seems like too long of a time. I know that senator merkley's not able to get it done at the national scene. We could make it sooner than that, if we can. Thank you very much for that and I support your work on that. Aye.

Wheeler: Thank you, commissioner, for the kind comments. Great report, great presentation, great testimony. With regard to commissioner Fritz's comment, if we can move faster, we should. It's not known that Oregon actually starts from a position of disadvantage when it comes to moving towards renewable energy. Relative to other states and countries that have also established aggressive targets, we still have a disproportionate reliance on coal energy and so there is a requirement for a long time span. I'm with commissioner Fritz 100%, if we can get there sooner, faster, better, absolutely, we should do that. I want to underscore one point you made very, very clearly. We have reduced our greenhouse emissions -- our carbon emissions, by 21% below our 1990 levels, 41% on a per capita basis while expanding our population and growing our economy. So, the off-stated trade-off between achieving climate goals and economic prosperity, that is a false trade-off and I want to also underscore the point that was made around equity and social justice goals in the context of our climate action plan. We want to make sure that there aren't some populations that benefit disproportionately at the expense of other populations and that is a more recent frame in the plan, in recent years, but it's one we're obviously we're going to continue to aggressively do going forward so I am really pleased with the work here. Aye. We have accepted the report and we are adjourned. Thank you, colleagues.

At 3:41 p.m. council adjourned.