



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A SPECIAL MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **2ND DAY OF OCTOBER, 2018** AT 11:15 A.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Robert Taylor, Chief Deputy City Attorney; and John Paolazzi, Sergeant at Arms.

		Disposition:
SPECIAL COUNCIL MEETING		
1016-1 Authorize City Attorney to sue or join as a party in legal proceedings to maintain local control of, and reasonable compensation for access to, the City of Portland's public rights of way (Resolution introduced by Mayor Wheeler) 15 minutes requested		37388
(Y-4)		

At 11:29 a.m. Council recessed.

October 2-4, 2018
 A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
 OREGON WAS HELD THIS **3RD DAY OF OCTOBER, 2018** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish, Fritz and Saltzman, 5. Mayor Wheeler left at 12:05 p.m. and Commissioner Saltzman presided.

Commissioner Saltzman arrived at 9:33 a.m.
 Commissioner Fish arrived at 9:54 a.m.

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

On a Y-5 roll call, the Consent Agenda was adopted.

		Disposition:
COMMUNICATIONS		
1017	Request of Elliott Young to address Council regarding the petition for a compassionate response to homelessness (Communication)	PLACED ON FILE
1018	Request of Kaia Sand to address Council regarding criminalization of homelessness (Communication)	PLACED ON FILE
1019	Request of Alex Gillow-Wiles to address Council regarding commentary from Street Roots (Communication)	PLACED ON FILE
1020	Request of Kimberly McCullough to address Council regarding a compassionate response to homelessness (Communication)	PLACED ON FILE
1021	Request of Sarah Iannarone to address Council regarding a compassionate response to homelessness (Communication)	PLACED ON FILE
TIMES CERTAIN		
1022	<p>TIME CERTAIN: 9:45 AM – Accept the Residential Garbage, Recycling, and Composting Collection 2018 Franchise Review Report (Report introduced by Mayor Wheeler) 45 minutes requested for items 1022 and 1023</p> <p>Motion to accept report: Moved by Fish and seconded by Eudaly. (Y-5)</p>	ACCEPTED
1023	Grant residential solid waste, recycling and composting collection franchises in the City (Ordinance introduced by Mayor Wheeler)	PASSED TO SECOND READING NOVEMBER 07, 2018 AT 9:30 A.M.
1024	<p>TIME CERTAIN: 10:30 AM – Proclaim October 8th to be Indigenous Peoples Day (Proclamation introduced by Mayor Wheeler) 15 minutes requested</p>	PLACED ON FILE

CONSENT AGENDA – NO DISCUSSION		
Mayor Ted Wheeler		
Office of Management and Finance		
*1025	Authorize a grant agreement with Elders in Action to provide services and advocacy for older adults in the City not to exceed \$165,667 (Ordinance) (Y-5)	189185
*1026	Authorize a grant agreement with Latino Network in an amount not to exceed \$44,737 for making open and accountable elections work for all Portlanders program (Ordinance) (Y-5)	189186
*1027	Authorize a grant agreement with Metropolitan Family Service in an amount not to exceed \$200,000 for Experience PDX program to continue critical academic support to children at academic risk and enhance outcomes at four low resourced Portland schools (Ordinance) (Y-5)	189187
*1028	Pay property damage claim of Darla Millstein in the sum of \$24,142 involving the Portland Bureau of Transportation (Ordinance) (Y-5)	189188
*1029	Pay property damage claim of Lela Lawrence-Moiso in the sum of \$8,036 resulting from a motor vehicle collision involving the Portland Bureau of Environmental Services (Ordinance) (Y-5)	189189
1030	Amend a grant agreement with Earth Advantage to add \$200,000 to continue work on the Home Energy Score Program (Ordinance; amend Contract No. 32001607)	PASSED TO SECOND READING OCTOBER 10, 2018 AT 9:30 A.M.
Commissioner Chloe Eudaly		
Bureau of Transportation		
*1031	Authorize a contract with the lowest responsible bidder for the East Portland Active Transportation to Transit Project (Ordinance) (Y-5)	189190
1032	Authorize a contract with Northwest Disability Support for Bike First! bike camp scholarships for students with disabilities who live within Portland city limits or attend a school within Portland city limits for \$30,000 (Ordinance)	PASSED TO SECOND READING OCTOBER 10, 2018 AT 9:30 A.M.
REGULAR AGENDA		
*1033	Establish the Office of the Portland Children's Levy (Ordinance introduced by Mayor Wheeler and Commissioner Saltzman; add Code Chapter 3.134) 10 minutes requested (Y-5)	189192

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Mayor Ted Wheeler		
Bureau of Police		
1034	Authorize sale of usable surplus Mobile Data Computers pursuant to City Code 5.36 for approximately \$12,250 (Second Reading Agenda 1013) (Y-5)	189193
Office of Management and Finance		
1035	Amend ordinances to authorize use of bond proceeds for the payment of interest on bonds during reconstruction and space buildout of the Portland Building (Ordinance; amend Ordinance Nos. 187924 and 189088)	PASSED TO SECOND READING OCTOBER 10, 2018 AT 9:30 A.M.
*1036	Increase contract with Miller Consulting Engineers, Inc. by \$250,000 to provide additional on-call engineering consultant services to the Spectator Venues Program (Previous Agenda 1009; amend Contract No. 30005601) (Y-5)	189191
1037	Authorize charitable organizations eligible to participate in the City's 2019 Charitable Campaign and authorize exemptions for charities not meeting the 25% overhead cost cap requirement (Second Reading Agenda 1014) (Y-4; N-1; Saltzman)	189194 AS AMENDED
Commissioner Chloe Eudaly		
Bureau of Transportation		
1038	Vacate NW Terminal St between NW 17th Ave and NW Upshur St subject to certain conditions and reservations (Second Reading Agenda 1015; VAC-10119) (Y-5)	189195

At 12:08 p.m. Council recessed.

October 2-4, 2018

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **3RD DAY OF OCTOBER, 2018** AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Robert Taylor, Chief Deputy City Attorney; and Ovie Griggs and John Paolazzi, Sergeants at Arms.

	Disposition:
<p>1039 TIME CERTAIN: 2:00 PM – Amend the Seismic Design Requirements for Existing Buildings to require placards and tenant notification for unreinforced masonry buildings (Ordinance introduced by Mayor Wheeler and Commissioner Saltzman; amend Code Chapter 24.85) 3 hours requested</p> <p>Motion to add directive b. For City-owned Unreinforced Masonry buildings, City staff from property owning bureaus will work in collaboration with the ADA Title II and Civil Rights Title VI language access program staff at the Office of Equity and Human Rights to develop materials that provide reasonable and meaningful access to safety information for building occupants and visitors: Moved by Fritz and seconded by Eudaly. (Y-4)</p>	<p>PASSED TO SECOND READING OCTOBER 10, 2018 AT 9:30 A.M. AS AMENDED</p>

At 4:27 p.m. Council recessed.

October 2-4, 2018

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **4TH DAY OF OCTOBER, 2018** AT 2:00 P.M.

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

Commissioner Fish arrived at 2:05 p.m.
Commissioner Saltzman left at 3:47

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees, Chief Deputy City Attorney; and Christopher Alvarez and John Paolazzi, Sergeants at Arms.

Due to caption broadcast technical problems, the meeting recessed and reconvened several times: recessed 2:08 p.m. and reconvened 2:09 p.m.; recessed 2:42 p.m. and reconvened 2:45 p.m.; recessed 2:57 p.m. and reconvened at 3:16 p.m.

		Disposition:
1040	TIME CERTAIN: 2:00 PM – Adopt the Southwest Corridor Equitable Housing Strategy and direct early implementation actions (Resolution introduced by Mayor Wheeler) 90 minutes requested (Y-3; Saltzman absent)	37389

At 4:15 p.m. Council adjourned.

MARY HULL CABALLERO
Auditor of the City of Portland



By Karla Moore-Love
Clerk of the Council

For a discussion of agenda items, please consult the following Closed Caption File.

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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.**

October 2, 2018 Special Meeting 11:15 am

Wheeler: Good morning everybody, this is the Tuesday, October 2, special meeting of the city council. Karla please call the roll.

Eudaly: Here. **Fritz:** Here. **Fish:** Here. **Saltzman:**

Wheeler: Here. Sorry, Robert, I forgot you, I apologize.

Robert Taylor, Chief Deputy City Attorney: Welcome to the Portland city council.

Wheeler: Robert you can do the abridged version this morning.

Taylor: The council represents all Portlanders and meets to do the city business. The presiding officer preserves order decorum during city council meetings. The presiding officer determines the length of testimony. If you are in the audience and would like to show your support for something said, please feel free to do a thumbs up. If not, please do a thumbs down. Disruptive conduct such as shouting or interrupting testimony or deliberations will not be allowed. If there are disruptions, a warning will be given, if you do not follow the warning, you are subject to ejection. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

Wheeler: Well done, Karla, can you read our item for this morning please.

Moore-Love: Yes.

Item 1016-1.

Wheeler: Colleagues, today I've called for a special meeting to discuss a resolution offering the city attorney to sue or join as a party in legal proceedings to maintain local control of and reasonable compensation for access to the city of Portland's public rights of way and city-owned infrastructure in the public right of way. Recent action by the fcc could result in an ability to collect nearly \$9.5 million a year in franchise fees and impose future limitations on collecting fees related to the city of Portland public's right of way. I don't need to tell you, based on the conversation that we had earlier this morning around the budget, that this would be a significant issue for the city of Portland. I will now turn it over to the city attorney Tracy Reeve to discuss more.

Tracy Reeve, City Attorney: Thank you mayor and commissioners I'm going to briefly introduce the topic and tell you why you're here and then I will turn it over to the deputy city attorney, maja haium. It is intended to speed wireless and wire line broadband deployment and those are goals the city generally supports. Wireless carriers want to deploy 5g technology and public rights of way, and the fcc has identified, unfortunately has identified local governments as barriers to deployment. Consequently, because the fcc has taken that position, they've adopted a variety of orders declaratory rulings that would significantly limit local control of public rights of way. The resolution before you would authorize my office to sue or join as a party in legal proceedings to challenge the fcc's recent and likely future acts relating to use of public rights of way in order to maintain our control of and right to reasonable compensation for uses of our rights of way. I'm going to turn it over to maja and she's going to give you a little bit more detail.

Maja Haium, Deputy City Attorney: Good morning mayor Wheeler commissioners thank you for being here. We are very concerned about the multiple orders that the fcc has issued. I'm going to discuss three of them, although there are more coming and this is not

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the entire universe of orders that the fcc has issued. The first one was on august 2nd, its a moratoria order that stipulates any local rules that have the effect of delaying a wireless application will be preempted. There are examples given of what a de facto moratorium might be and that would include things that cities regularly do, for example a delay or a limited moratorium on the ability to rip up sidewalks or streets after they've been paved, typically, they will be six-months or one year, if we've just resurfaced a street that we say there is no excavation permitted and the fcc is saying that that would be an effective moratoria and we can be sued on that behalf. That particular order has some legal underpinnings that we believe are significantly suspect and lay the foundation for additional preemptions that the fcc has ordered, most significantly in a small sales order that would set the rate of reasonable compensation as our direct costs the fcc identified \$270 per attachment for a reasonable cost if we want to go above that we would be subject to suit from any carrier who wanted to challenge our fees and I would note that multiple cities have entered into agreements with wireless carriers where the fee is \$3,000 a year, so we're looking at about 10% of what many large cities have already negotiated. The third order, and proposed rule making, which is draft at this point, but does include tentative conclusions would significantly under cut our cable revenues. Right now, we are able to negotiate 5% of gross revenue for franchise fees and 3% for peg funds. Now the fcc is saying, instead of being able to negotiate for both of those, we are going to require cities to have an off set against franchise fees for anything that we negotiate for in-kind contributions. Cities routinely do that for example in our comcast franchise we currently have eight channel capacity, dedicated to these types of channels. Comcast would be able to value those itself, we would be unable under the tentative conclusion to help value that and we would then be required to deduct it from our franchise fee. That is the universe as it exists today we will know there are additional rulings likely to come and we want to be in a position to challenge those.

Wheeler: Very good, thank you. Colleagues, any follow up questions?

Fritz: I don't have a question, just have a comment at the Oregon league of cities board meeting last week, their board unanimously voted to support this suit and the league of cities in California and Washington are also being asked to join so it is a significant preemption of local authority and I think opens us up to liability. I'm remembering a case we recently had recently at council we had to pay hundreds of thousands of dollars of compensation for someone who claimed that a utility box had obstructed their view in an intersection, causing them to get hit. I think for multiple reasons, this is the right thing to do.

Wheeler: Is there a public testimony on this item?

Moore-Love: No one signed up.

Wheeler: Very good with that, please call the roll.

Eudaly: So over 20% of the land in the city of Portland is publicly owned right of way and managing that land on behalf of the of Portland is one of the city's most important rolls. Businesses that use publicly owned rights of way and other city facilities to do their business need to share the responsibility for operating and maintaining the facility that make the businesses possible the fcc action last week that limited local government freedom to manage publicly owned property is sadly typical of the kind of mismanagement and giveaways we've come to expect from the trump administration so I'm pleased to support the city in joining this lawsuit. I'm hopeful that local power will prevail over the fcc over reach and I also hope the next administration will appoint the competent people to serve on the fcc who will help us solve problems instead of creating new ones. I vote aye.

Fritz: Thanks to the office for community technology cause I know you've been following this and as has the mount hood cable regulatory commission and some of the other things that I learned at the legal Oregon cities board was the administration is couching this as helping to provide 5g service to rural Oregon wish those legislators from rural Oregon

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thought was not a valid argument. Also, the mayor of independence pointed out that independence and Monmouth have provided wireless in their community and these rules would stop governments from providing these services so it is essentially saying that government can't do what the community wants us to do, and even if we have the resources to do so. So for multiple reasons, this is absolutely the right thing to do and I hope we fight it a long, long way if necessary, but I hope we get there quickly. Aye.

Fish: Aye.

Wheeler: We look forward to working with other cities across the country to protect the public's right to reasonable compensation for the right of way. Plainly and simply, this is a property grab by the federal government. We hold these public right of way assets in trust for the public, and it is our duty to fight for the right to manage these assets that we hold in public trust. We're still looking forward to working with the wireless carriers in our community in hopes to introduce 5g in a way that supports the digital equity action plan that's already been adopted by this council, but I think this is an absolutely appropriate reasonable and necessary step that the Portland city council is taking in alignment with cities all across this nation. I vote aye. The resolution is adopted and we are adjourned.

At 11:29 a.m. Council recessed

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Closed Caption File of Portland City Council Meeting

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Key: *** means unidentified speaker.**

October 3, 2018 9:30 a.m.

Wheeler: Good morning everybody this is the Wednesday morning October 3, 2018 morning session of the Portland city council. Good morning everybody and Karla could you please call the roll.

Eudaly: Here. **Fritz:** Here. **Fish:** **Saltzman:**

Wheeler: Here, good morning.

Heidi Brown, Senior Deputy City Attorney: Good morning. Welcome to the Portland city council. The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and decorum during the city council meetings, so everyone can feel welcome, comfortable, respected and safe. To participate in council meetings you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may also sign up for public testimony on resolutions or the first readings of ordinances. Your testimony should address the matter being considered at the time. When testifying please state your name for the record, your address is not necessary. Please disclose if you are a lobbyist, if you are representing an organization, please identify it. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless it's otherwise stated. When you have 30 seconds left, a yellow light goes on and when your time is done a red light goes on. If you are in the audience and would like to show your support for something said, please feel free to do a thumbs up. If you want to express you do not support something that is being said, please feel free to do a thumb's down. Disruptive conduct such as shouting or interrupting testimony or council deliberations will not be allowed. If there are disruptions, a warning will be given to any further disruptions may result in the person being ejected for the remainder of the meeting. After being ejected, a person who fails to leave the meeting is subject to arrest or trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

Wheeler: Thank you. First up communications.

1017

Wheeler: I had a question. I noticed that all five of the communications slots are written the same, do you want to come up at the same time or come up separately? It's your choice. Same time? very good. Just slide the chairs up, and the microphones move around.

Moore-Love: I can read the rest of the title.

Wheeler: Thank you, Karla.

Item 1018.

Item 1019.

Item 1020.

Item 1021.

Wheeler: Very good, good morning. I don't know if you want to go in the order stated here on the cheat or if you have a different order?

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Elliot Young: Could we request two, two people would like to substitute comments from some street vendors who would like to speak, so we will, if we could occupy the time slots, for different people?

Wheeler: I will allow it under this circumstance, but generally the answer to that question is no because people sign up way in advance for these slots and I'll be the first to admit they are too far and few in between, but in this case since you made the effort absolutely.

Young: Thank you.

Young: Should I go?

Wheeler: Please.

Young: My name is Elliott young. Thank you for hearing our testimony today. I want to first start out by recognizing the tragic death of Patrick kimmons in our city, and today we are here to bring to you a petition co-sponsored by community activist, religious leaders, civil rights organizations, academics, lawyers, homeless advocates, and one city council candidate, and in addition more than 4,000 individuals from across Portland have signed onto this petition, which very simply asks that we change our strategy for addressing homelessness from one which has resulted in over 53% of arrests being of homeless people, to one which actually tries to solve the problems facing them including lack of housing, mental health, and addiction services, and basic hygiene for people living on the streets. Here are five specific recommendations, I believe you have them in front of you. To city council while we realize creating affordable housing is a long-term effort, what we are asking can be implemented immediately or in the near future. Number one, develop a robust group of first responders who are trained to deal with mental health and addiction crises who would be the ones to connect people living on the streets with services. These first responders could also address the livability issues like needles in parks, garbage in neighborhoods, and low level theft, if victims did not want to involve the police. Two, to declare moratorium on sweeps of homeless camps. Until we can offer adequate alternatives, sweeping people from one part of the city to another part of the city is an expensive and harmful way to deal with the housing crisis. Number three, provide basic services for hygiene for people living on the street, including restrooms, water, and garbage disposal. Many residents complaints stem from the lack of adequate infrastructure for people living on the streets. Addressing basic needs will solve a great part of the problem. Number four, legalized temporary camps on city owned property as well as providing services to make them clean, safe, and viable. There are already successful examples of city sanctioned camps so let's expand this model. And five, track arrests of homeless people, publish data on a city website and hold responsible parties accountable for achieving a drastic reduction of arrests. We should not have to rely on the investigative journalism of the Oregonian to learn basic facts about how the city deals with this homeless population. Finally police always use discretion about the laws and force in order to deploy their limited resources more effectively. We agree with the police union that the police are not the best people to be addressing what is at the root of social problems. The mayor, himself, last June asked the police not to enforce a violation of people at the ice occupation so we are asking that the city council use such discretion again to stop arresting people living on the streets for low level offenses, while reasonable people can disagree about the most effective ways to address the crisis of homelessness, we must all affirm the dignity and the humanity of people living on the streets, the recent vigilante actions by Portlanders who videotape and photograph people entering a needle exchange program is a dangerous descent into mob dehumanization of our most vulnerable neighbors, so I call on the mayor and city council to stop mass incarceration of homeless people and to speak out against the dangerous anti-homeless vigilante actions.

Wheeler: Thank you.

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Annette Johnson: Hi. My name is Annette Johnson, and I am a street root vendor. I have been a vendor since October of last year when I got hurt at the Oregon golf club as a dishwasher and prior to that, I started using heroin in Seattle, Washington, at the age of 15. I was addicted to heroin and cocaine for a good 30 years, so I've been to prison five times in the state of Washington. My mom used to come here when we were kids and play -- we used to go to Portland meadows to the racetrack. One day I got on the bus and decided to come to Portland to get away from everybody wondering why I couldn't stop using drugs cause I couldn't figure it out. So drugs were easy to get here on the streets of Portland 24-7, unlike Seattle back in 1998. So I started here, and I got arrested, I was homeless, addicted and they arrested me and took me to Multnomah county jail, and they let me out immediately and with the charges that I was arrested for, I would have been sent to prison in Washington. After going to a jail so many times, the judge said I got arrested for telling \$5 worth of crack to an undercover cop. They were going to give me two years for it. Instead they realized I wasn't a drug dealer that I had other issues. So, they got me the psychological evaluation and got me to a treatment, and at depaul, I kicked out then, and volunteers of america, and if I didn't complete treatment I was due to go to prison. So long story short, I saw other drug addicts in the treatment center working, and I started copying what they did and that was study the books, study something, you don't have to be a drug addict on skid row no more. Moving forward I have 14 years clean and sober on February, I might have 15 actually on February 22, but I am happy.

[applause]

Johnson: I live in affordable housing at gray's landing down on southwest waterfront across from the immigration office. I have mental health issues, I will walk up and down the street, just lost, and so one day I asked the lady at jail, can you give me the ugliest booking picture that you have of me, and she turned around and said you need to pick. Long story short, when the people are down here on the streets, I want to know what the city or anybody else, if it was you, didn't have a place to stay, had mental issues, drug issues, who would you want to come out there and get you? Who would you send, the police? Food is not a cure, money is not a cure, drug treatment and housing is not the main cure. There is hope for people like them out there as far as who is going to provide that help. It's going to take more than just a house to stay because a lot of people cannot function no more. The longer they stay out there, the worst the problem is. There was an 89-year-old woman that was killed in northeast Portland, a mother, a grandmother. She's dead because of mental illness. Thank you.

Wheeler: Thank you. I appreciate it. Thanks for being here, good morning..

Leo Rhodes: Hi, my name is Leo Rhodes and I am also a street roots vendor, and homeless advocate. So I am clean and sober, been clean and sober since 2001 when I started my advocacy. Being clean and sober, I am being victimized by the police, by the community because everybody thinks that all homeless people are drunks, druggies and mentally ill. I am neither of those and there was a lot -- when I first started my advocacy within the first couple of years, I had elected officials, church leaders, even people -- all these influential people, even people in affordable housing trying to get me into affordable housing, but couldn't get me in there because I was clean and sober, I was not a druggie or mentally ill. So there is a lot of homeless people out there, what I call the functional homeless people, that can get inside but are being victimized by the way that people are thinking of homelessness. When you talk about the mental illness, there is a lot of sleep deprivation out when, which can be thought of as mental illness, but it's not. When you are not getting enough sleep, your health goes bad, and you also make wrong decisions which other people think there is something wrong with you. So the housing issue is great, but that's a long-term goal. It takes two to five years for that to happen. So what you're basically telling people is when you say I am all about affordable housing, is wait homeless

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people, wait two to five years until we get enough affordable housing. Sometimes we don't hit that mark, and you will have to wait a bit longer and if you are clean and sober, you have to wait longer than that. You are being victimized out there all this time because of the way that people think, which is really, really bad on homeless people when they are trying to help themselves, their trying to pick themselves on up, but yet we have homeless people that come over and tell us that we're mentally ill, we're lazy, that we don't want to get a job, or unkept things like that, yet it's the way that the people have put homeless people through this stuff. There are a lot of services out there, but just not enough services out there. One of the biggest things that I like is right 2 dream 2. Now there is a place for people to go to get some sleep at least let their hair down a little bit of time and most places you cannot do that. So that's what we need is more right 2 dream 2 at cities and shelters for a temporary solution until we have enough affordable housing, because me, I am traumatized by all of this stuff. I might not show it, but yeah. I've been victimized many times out there and there are a lot of homeless people out there because of the mindset that people put in people's minds. So I just want to, well, I can't say it now. I did want to read a poem but I ran out of time. So thank you.

Wheeler: Thank you for being here and congratulations on -- that's almost -- 18 years, clean and sober.

Rhodes: Yeah. Yeah.

Wheeler: Congratulation.

Rhodes: December will be 18 years.

Wheeler: That's great. That's a long road. Well done.

Rhodes: Thank you.

Kimberly McCullough: Members of council, my name is Kimberly McCullough, I am the policy director for the aclu of Oregon. Thank you for the opportunity to speak with you this morning, and for the opportunities that each of you have given me to have conversations with you outside these chambers, I look forward to more dialogue and conversation. I want to say I love this city, I believe in this city, I believe in our ability to recognize when we are making mistakes, and our ability to do better. Crucial to that is more and better communication and collective learning and my hope is that this morning will contribute to that. Please know I supplemented my testimony with information I hope that you consider, you don't have it in front of you, but the clerk has it. One is a recent press release about the related issue of business improvement district, and it has some policy recommendations. Then also is a recent report that provides the practical guidance for authorized homeless encampments, that's from Seattle university. Although we are here asking you for policy changes at the outset, I don't want you to think that we are saying you are not trying or the city hasn't taken steps to try to address these issues. I have heard from each of you about the things that the city has done, and we thank you for those things. At the same time there is also things operating in our policies and systems that are causing harm and not helping to alleviate homelessness and that are diverting resources from solutions that would help. More specifically those things causing harm and diverting our resources are the repeated displacement of people who have no safe place to go, repeated police contact for people who have experienced trauma, and criminal justice system involvement for people who truly just need services and a place to safely sleep. As long as over 50% of the arrests in this city are of houseless neighbors, there is something fundamentally wrong with our policies and systems that we have put in place to address this emergency. This situation with massive numbers of our friends and neighbors, without housing and without safety truly is a state of emergency. It's similar to the city experiencing massive flooding or earthquakes or another natural disaster that has forced people from their homes and I believe that if such a massive displacement happened due to a sudden disaster, we would not respond in some of the ways that we are responding to this current

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crisis. I believe that we would not give up on finding safe places for people to gather and seek safety like authorized camps on public property. I believe that we would work together with our neighbors to address the hygiene needs of our displaced neighbors, and I don't believe that we would think that more police was the answer. So speaking of Police I want to be very clear here, I have personally spoken with a variety of folks in law enforcement on this issue from officers to representatives of the police union to folks higher-up in the chain and those conversations lead me to believe that many in law enforcement also believe that more police is not the solution to addressing homelessness. We have set up is a system where somehow law enforcement's responsibility to fix this problem, but they literally can't fix it. More policing, more sweeps, more identification checks which I'm still getting reports about that happening. Those things are not going to help, we need to work together to create non-law enforcement responses and alternatives to our current practices and we need the city council and our local government to educate the public about how alternative solutions will work. These conversations are not easy, there is a lot of frustration all around, but as I said before, I believe in this city and I believe we can do better.

Wheeler: Thank you. Good morning.

Sarah Iannarone: Good morning. Thank you for having us here today. My colleagues worked hard to put this all together, over 4,000 people signed our petitions so far once the Oregonian report came out that over half of the arrests last year in Portland were of homeless people. It seems like yesterday we were here arguing against adding more police in the last budget cycle. We said that we did not want this additional money going to new police officers because we anticipated that that would affect our homeless population negatively. It feels like yesterday that we were here arguing that increased police staffing would not improve livability overall in Portland, and later we were vindicated by the Oregonian report, but the homeless population and their advocates argued that the additional police staffing would negatively impact their lives through the profiling, harassment and sweeps they experienced. This is disturbing. We need to be listening better. We were here in April. We asked you not to add those additional police. We were not heard and now we are circling back again and saying that we need you to listen to us. Mean while, neighborhood groups following in many ways the lead of the decisions made by this council are coalescing in places like Lents, Crest and Kenilworth and you will even see people from Montevilla here this afternoon saying that they also want more policing around urban livability issues. This is not really about livability, this is about excluding people experiencing homelessness from the public eye, from neighborhoods, from communities. As we come to you with this request, we need to be thinking at the 30,000-foot level about the direction that we are going to take forward for our city and how we are going to define livability in the future. Who are these additional police serving? Who are they making safer? They are certainly not making the cyclists who relied on better naito safer, nor the man and his child injured by motorists trying to cross 122nd avenue last night. They are not making human rights demonstrators safer who are arguing against white supremacist hate groups., ICE or the Trump administration They are not making mentally ill people like John Elefritz or black people like Jason Washington and Patrick Kimmons safer, and as we demonstrated today, additional police are not making our homeless people safer. Are we going to make Portland a place that feels safe for elites? For business class? Are we going to administer our police to attract capital investment and keep Portland a place that seems good for doing business? Or will we focus on deploying our limited resources, with regard to public safety and truly making Portland a place that is safe and livable for everyone. Thank you for your time.

Wheeler: Thank you. [applause] If I could make a couple of comments. First of all, I thought that that was a very well prepared, excellent, and thoughtful presentation, so thank

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you for that. You may be surprised to hear that I agree with much, in fact, the vast majority of everything that you have just said. First of all let me say that I agree wholeheartedly that the police are being put into a nearly impossible situation. They are, along with other first responders, fire, emt's, they are now the first responders to a homeless crisis that I think that most of us now acknowledge is the result of failures upstream and you referred to some of those things longer term, it's support for lower income and workforce housing. You indicated there needs to be a more aggressive posture with regard to mental health service delivery, with regard to addiction treatment, and I was very pleased to hear our folks from street roots, Annette, talking about her successful efforts to overcome her addiction, and now she's been clean and sober for nearly two decades as was the other gentleman and I applaud you, too, sir. I think that that's fantastic. You talked about innovative alternatives that get people off the streets and out of the elements and there is no question that this council is being unified around working hard, whether it is shelter, and I know some of you who just presented worked side-by-side with us on the foster shelter. That was a very, very difficult and contentious issue, but an important one. Some of you worked alongside of us as we found an alternative location for r2d2, which we did and I think it has been a huge success. Some of you worked with us on the Kenton women's village, which was a tiny home urban experiment, which has been very, very well received in the Kenton neighborhood. We are working with private sector partners, homer williams, tim boyle, robert stole, and others on the haven for hope model, potentially, under the Morrison bridge, so we are looking for those opportunities. I was pleased to hear somebody say that we need to track the data. Collect and track the data. I could not agree with you more on that point and the budget this council adopted a few months ago actually has three more data analysts, and it focused on issues around public safety in particular and this is an important part of the data collection effort. I want to tell you that it is current police policy that we do not arrest people for being homeless. There is no policy that would support arresting somebody because they are homeless. We do have obligations around public safety in this community. If you were here, and I think -- excuse me, mr. Walsh. I think that sarah mentioned that if you were here last week, you would have heard a different panel with a different perspective on this. There is, of course, the montavilla petition that I will be in receipt of shortly, and I hope to talk with the people of montavilla who, I think, share many, if not all of your views with regard to this. Not to be confused by the montavilla petition I received last year saying that we were too soft on issues around homelessness and criminality and livability. It has been my objective to separate these issues. Have a compassionate, effective, data-driven approach around homelessness that includes prevention, we supported 6,000 people last year through the joint office in that regard. Shelter, we supported 8500 people last year through our shelter system and the transition into housing last year 6,000 people were transitioned either off the streets or out of shelter into housing and yes, we're also being very aggressive on the long-term play around housing. When it comes to public safety, we have an obligation around criminality. I want to gently push back on the notion that the current circumstances around law enforcement are in any way impacted by the city council's budget this year-round policing. There is no proof of that, in fact I will give you contrary proof. We supported funding for 58 new police officers, we also supported funding for an expansion of the behavioral health unit, which pairs mental health professionals alongside first responders so that the mental health professionals are making that initial contact. We also supported funding for the service coordination team which helps work with people in addiction recovery, who have interactions with the criminal justice system so that those interactions end and they can go about their lives, and enjoy the benefits of the hard work that they put into their recovery efforts. The officers that we hire, the street beat officers, it takes 18 months for them to go through the certification and training. They won't hit the streets of the city for another year.

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So you cannot draw conclusions based on the budget that we just passed. Lastly, but not leastly, we need to figure out as a community how to come together on this issue. It is a highly divisive issue in the community right now and as long as we remain divided as a community on this very, very important social challenge, we are going to struggle to make real results, and I was very encouraged when I met with the mayors from all around the state on Saturday of this week at the league of Oregon cities down in Eugene, and our only subject of conversation for the day was homelessness. We talked about where are the points of commonality and agreement that we can get behind and support because I got to tell you, Portland, Oregon, can't figure out how to get out of this situation with regard to homelessness and poverty and income and equality and mental health and addiction issues that are going untreated, and a lack of housing. If we cannot figure out how to get out of this box together it does not paint a very hopeful picture for anywhere else. We can do it and so I appreciate you being here today, I appreciate the meetings that you have done with us, the time and the energy that you have personally invested in this issue. I look forward to continuing to work with you, hold me accountable as you are where you feel that I need to be held accountable or my colleagues need to be held accountable, but in exchange I am asking for something, too. I am asking for you to work with us hand in hand on the parts of your agenda where we're in agreement. Can we do that? Thank you. I appreciate it.

Eudaly: Mayor.

Wheeler: Commissioner Eudaly.

Eudaly: I wanted to thank all of you for coming today and for the suggestions that you have offered. It was a stark contrast between the panel we had between this panel and the panel that we had last week from a particular neighborhood who started with a laundry list of complaints about the homeless, did not offer any compassion, let alone solutions, and ended with telling us that we were making it too hard to be landlords in the city. The mayor was surprised I didn't jump in on that, but I felt it would be an exercise in futility because there is a lack of understanding in the broader community about the forces that are -- that have brought us to where we are today. There is a 96% correlation between the housing affordability and homelessness. So, anyone who wants to tell me we're making it too hard to be a landlord or that regulating our rental market is not going to help displace us, doesn't know what they are talking about, frankly. I agree with all of your solutions, I also agree that more police is not going to remedy the livability issues that people associate with homelessness, which is really the only justification that I was hearing for the increase. I didn't want the increase, I never received the rationalization for police staffing that I wanted, I pushed back, and we got less than they wanted, it was not satisfactory to anyone, I just want to say that I sympathize with that. Finally I am ready and willing to work on all these items with all of you. I have been working on them, but we also need to bring these issues to the county. We don't have all the resources here, especially around mental health and addiction and to the state and to the federal government, I mean, the city, the city council and city hall does not have the capacity to provide all the services and the housing that's needed, and the other, I guess, favor that I want to ask is just keep talking to your friends and family and neighbors because every time we -- not every time, often it seems like an obvious solution. We need a dumpster here, we need a port-a-potty here, we need hygiene centers. No one wants them in their neighborhoods and I don't know when we're going to reach that critical point where we just start providing them regardless of public sentiment, but it would really help if people were more informed and more willing to cooperate and support these efforts, so thank you.

Wheeler: Thank you. I've been asked to make an announcement. This morning, Wednesday, October 3, FEMA is conducting a national alerting test, which will notify almost every person in the country simultaneously. Here's what you should expect. At 11:18 a.m.

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The wireless emergency alert system will send a test message to most people's cell phones. The message will say quote, "this is a test of the national wireless emergency alert system no action is needed." at 11:20 a.m. The emergency alert system will send out a test message on tv and radio. So that may disrupt the coverage of council session. If I remember I will try and give a notification closer to that time, but just in case I forget, there it is. Karla, have any items been pulled off the consent agenda?

Moore-Love: We have had no requests.

Wheeler: Call the roll.

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

Wheeler: Aye, consent agenda's adopted. First time certain, please read items 1022 and 1023 together.

Item 1022.

Item 1023.

Wheeler: Colleagues, bps is completed its mid-term review of the franchise system that governs residential garbage and recycling collection. At the council's discretion the review is focused on advancing equity in the franchise agreements. We are initially concerned that the franchise system presents many barriers for new companies, especially minority-owned businesses. We have two items from the bureau of planning and sustainability today. First, bps is asking us to accept the 2018 franchise review report, which summarizes the franchise review process, findings, and recommendations. The report includes the waste equity work plan, so by accepting the report, we are directing them to go forth and work with the community and other city bureaus to advance equity and diversity in the waste and recycling industry. Second, we are holding a hearing on the franchise agreement governing residential garbage and recycling collection. The revised franchise agreement includes changes that will improve the ability of the current and future franchisee's to secure financing, increase transparency in the franchise transfer process, and require consideration of equity and diversity in the future reviews. We won't be voting on the franchise agreement itself today. The city charter requires that we wait 30 days for a vote. Here today to tell us about this work are Jill Kolek and Arianne Sperry from bps. Welcome and thank you for being Here.

Jill Kolek, Bureau of Planning and Sustainability: Thank you and good morning mayor and commissioners. I am Jill Kolek with the bureau of planning and sustainability. We are bringing forward two items this morning, the report and the first reading of an ordinance to adopt a new franchise agreement governing the collection of residential garbage, recycling and composting. Every five years the city reviews the residential waste and recycling franchise system to assess whether it is meeting the goals and still is in the public interest. Bps completed the most recent mid-term review, drafted a revised agreement, and is now recommending that council vote to adopt the new agreement. A quick note on process, city charter that governs the franchise adoption process is very prescriptive. If there is any amendments to the franchise agreement before the vote, the whole process must begin again, and our goal is to bring this back to you in early November. When council launched the franchise review process in August in 2017 they adopted a set of guiding principles to provide focus for the review, including two the directed to bps to consider diversity and equity in the franchise system. The two new guiding principles are increased participation of women and minority workers and two, reduced barriers to economic opportunities for minority and women-owned companies. The most important outcome of this process was the recognition that trying to advance diversity and equity when only considering a small portion of the waste and recycling system was difficult and would leave out signature opportunities. For example, only 20% of the waste is generated in a residential sector governed by the franchise system. The commercial and multi-family sectors offer greater opportunities and more varied opportunities for minority and women owned companies.

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We need to look at the system as a whole in order to identify those opportunities and develop a comprehensive plan for how we will advance diversity and equity in Portland's waste and recycling system and that is what we have done. We created a waste equity work plan that documents bps's commitment to doing this work, implementation of the work plan will be guided by a waste equity advisory group. That's the first item that we bring to you. To aid in our accountability to the community for asking you to accept the 2018 franchise review report and attached waste equity work plan. I am going to turn it over to Arianne, she's been the lead on the project, she will describe the process, the findings, changes to the proposed franchise agreement and the actions in the work plan.

Arianne Sperry, Bureau of Planning and Sustainability: Thanks Jill. When we embarked on the franchise review last fall, we really dug deeply into the guiding principles. How do we increase participation of women and minority workers? How can we reduce barriers to economic opportunities for minority-owned and women-owned companies? As you know, it's our practice at bps to incorporate equity into all our work, so we were excited to apply the equity lens to the garbage and recycling system. We convened a group of about 20 folks to help us explore and develop this work. It included some current franchisees, as well as stakeholders representing the interests of minority-owned company, many of whom are here today. We began with research to learn about the current situation. We interviewed the stakeholders to learn about current practices as well as perceived barriers for new potential entrance into the system. Current franchisees collected demographics data from their employees. We also researched solutions from other industries and reached out to other jurisdictions to learn from them. Before jumping into findings, I would like to go over a few terms so that we are on the same page. Co-bid certified is an umbrella term for all businesses that are certified by the state, including minority-owned businesses, women-owned businesses, emerging small businesses, and when referring to certified minority owned businesses and women owned businesses, as we often have, in this project, we sometimes use the shorthand mwbe's. Now onto the findings, overall our franchise system is serving Portland well on most counts. We have top notch recycling and compost systems and customers indicate high levels of satisfaction with their service. The demographic survey showed the franchise workforce is as diverse as Portland's overall with around 25% people of color. However women are a small fraction of the workforce and both women and people of color are underrepresented in management. In terms of company ownership, to the best of our understanding, all franchise owners are white. We do have two franchises that are majority women owned. Our research to identify multiple barriers that face fall businesses interested in becoming franchisees, including access to market information and access to capital and of all the barriers access to capital is probably the most critical. This is a very capital-intensive industry. The main thing is the trucks, which cost upwards of \$300,000 each, and you need several to provide the garbage, recycling, composting collection, and probably have a backup. We also need to buy roll carts for customers and have billing and customer service systems in place. Other barriers include opportunities to build relevant experience, as well as just the sheer number of opportunities to purchase a franchise territory. When the franchise was developed in 1992, all companies currently providing residential service received a franchise, which at the time was 69 companies. Since then there's been consolidation as family-run businesses retire and other companies and now we have 12 franchisees. Over time opportunities to get into the system are dwindling. These barriers exist for any small business, but they are amplified for minority and women-owned companies do to historic inequities such as the documented discrimination in capital markets. So we looked at a number of options for reducing these. We considered letting the franchise expire and bidding the residential collection out competitively, but none of the stakeholders around the table supported that approach. We also looked at reslicing the

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franchise pie to create one or more zones intended for new entrance to the franchise system and we really struggled with how to do this in a way that could set up everybody for success in such a capital intensive industry. We're still interested in revisiting this approach in a few years time, but we reached the conclusion that we first need to build the capacity and there are opportunities for that, if we expand the pie outside of just the residential franchise. We realize we could be more strategic and achieve more sustainability progress by looking at the system as a whole. In order to document our commitments to advance equity and diversity across all the sectors of the waste and recycling industry, we developed a new equity work plan, which is incorporated into the 2018 franchise review report. Along with the work plan we are proposing a waste equity advisory group to guide implementation of the work plan and track progress. What's in the work plan? First we are walking our talk with our own city contracts. We are looking to overhaul the procurement approach for collection services at city offices and facilities. This is currently structured as one big contract, that pays about \$900,000 a year, but it is inaccessible to small companies, we would like to change that. We are also doing a lot of work right now to expand collection of public trash containers. When we finished installing new trash cans on sidewalks throughout the city, we anticipate the contracts will total \$2 million annually. As we expand, we want to increase access for minority owned and women owned companies. Beginning in early 2019 bps is going to embark on a big look at the multi-family program, which currently lags behind single family both in terms of program performance as well as the level of service provided to tenants. We will engage a broad set of stakeholders and identify ways including additional regulatory controls to improve multi-family recycling performance, bring equitable service to tenants and provide equitable access to minority owned and women owned companies. Other work plan highlights include franchisees will submit annual plans describing the action they will take to advance diversity, equity and inclusion in their workplaces and operations, including their relationships with diverse vendors, suppliers and subcommittees. All permitted haulers will submit annual workforce demographics data and we'll use it to set goals and evaluate progress towards improved women and minority participation in the workforce across all organizational levels. We will partner with workforce development organizations and metro to implement best practices for increasing workforce diversity including connecting employers to pools of qualified job candidates and providing technical support and training. We will identify options for prioritizing delivery of garbage to facilities owned by co-bid certified companies. And finally, we will reconsider the creation of new entrance zones in the franchise prior to the next mid term review. Turning now to the franchise agreement, the ordinance in front of you includes several changes. We have added diversity and equity to the list of factors bps will consider in the future franchise reviews. We will require franchisee that is want to sell or subcontract their franchise to first reach out to minority and women owned companies on a registry and interested parties that bps will maintain. The term of the agreement has been extended from 10 to 12 years to help current franchisees continue to make investments in new vehicles and allow new entrants a long-term contract to recoup initial investments and there is a new process that allows franchisees to divide territories for sale. In conclusion, this review process has brought to light a number of limitations and complexities in the current system that make it difficult for an entrance. This is especially true if we are only seeing the problems through the lens of the residential franchise. It can be difficult to solve for root causes of inequity without being able to look at interventions across the larger system which is why we expanded our focus and created the waste equity work plan. We expect the actions identified in the work plan to create greater economic opportunities for minority and women owned businesses than the franchise system alone. We appreciate the time that everyone has taken to engage with us in this conversation. It's been a really committed group of folks, and a lot of them have pledged to continue to work with us as we

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implement work plan actions moving forward. We know that more process is not really an exciting outcome, but for bps staff this is a pretty big deal. We are committing to an equity process that goes beyond the scope and time line of a periodic franchise review and we believe that this process will create more sustained change that succeeds over time. Our interest is not in maintaining the status quo but in continuously improving the system to be a viable, economic opportunity in our city for local businesses. We see this not as the end point, but as the beginning. As a reminder here are the two actions that we are recommending, and we're happy to take questions.

Wheeler: Commissioner Fish.

Fish: So thank you for an excellent presentation. I have a number of questions. I think that for anybody watching your presentation, they will be surprised if they don't have a depth of knowledge of the issue to learn that we don't consider a multi-family development to be residential. Since it is largely residential, but by virtue of the definitions, is excluded from what we regulate. So we only regulate 20% of the market. What is, what is the -- what is the best explanation you can offer as to why multi-family is not treated as residential.

Sperry: The residential system is for single family homes, duplexes, triplexes and four-plexes. It is for development that is -- receives a similar type of service it's very homogenous in nature and so we can set the rates for that service and set the service standards very easily.

Fish: So -- but if -- let's assume that we really wanted to take our mwbe to the next level. Isn't the opportunity in front of us to regulate multi-family waste collection and just set hard numbers for mwbe the way that Seattle it?

Kolek: We are interested in the regulations around that and looking at that being a way to do no entrance into the system.

Fish: If we really wanted to put some extra teeth into our commitment to equity, wouldn't we have on the table a proposal to take multi-family properties, franchise it, and create some hard numbers, targets for Mwbe.

Kolek: Trying to figure out the multi-family puzzle and our stakeholders were limited to really the hauling community, so property managers were not in the mix, tenants were not in the mix. So we felt the next step in our work plan was to expand the stakeholder groups so those folks were at the table and then figure out what we need to do because we know there is a problem that could be solving not only service inequities but also opportunities.

Fish: But if we are setting this up for -- if we're extending the agreement by 12 years, and I understand that the argument in terms of predictability and financing, aren't we just postponing the conversation indefinitely or is there in interim opportunity to have that conversation?

Sperry: Yes. So the multi-family conversation is a separate conversation and can happen outside of the residential franchise. So we can decide what we want to do with that system moving forward outside of the residential franchise and we are going to review the residential franchise five years from now so we continue to review it every five years.

Fish: If we wanted to speed that up and do it in a time frame that's quicker than five years but you have admonished us not to put any amendments on the table because of the way it is prescribed, how do we accelerate the process for evaluating a multi-family franchise system with you getting what you need today?

Sperry: That's part of the work plan. That is in the work plan now that's beginning in early next year. We are going to launch that look at multi-family.

Fish: The other piece of my interest here is the difference between how Seattle has tackled this issue and the way that we are approaching it. Am I correct that Seattle has set hard numbers for set asides?

Sperry: It was my understanding that they used to have that, and they don't any more.

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Fish: How can we confirm that? Because if your understanding was they used to have hard numbers and don't any more, do we know why they don't have that approach anymore?

Sperry: I thought that it was not considered to be legal.

Fish: I would like -- I would request some follow-up on that because that's slightly different than the information I was given but maybe my information is out of date. Mayor, I appreciate it's in the next five-year work plan, but again, I think that to the average person, the notion that a multi-family property is not residential is -- sounds like a difference without it a distinction. Since we are only regulating 20% of the market here and since we are committed to having more participation by mwbe firms, I would like to see an acceleration of the time line for us to consider whether there is an opportunity to franchise multi-family, and if so, whether we can advance some of our equity goals in doing so.

Kolek: We will be working on the multi-family work more quickly than the mid-term review cycle. So we will start this winter, and then we will launch the process 2019 and we will have an idea of how we will do further regulations on the multi-family sector.

Fish: Without it an amendment can you give us some certainty? Can you give us some assurance that something would be back to us within the next couple years?

Kolek: We would hope so yes, I mean we hope to figure out the multi-family puzzle within 12 months, to be honest with you depending on how we get the process.

Fish: And come back to council?

Kolek: Right. We would have to come back to council.

Fish: I will be interested in the testimony to see whether that time line is aggressive enough. So thank you.

Sperry: We have that we would wrap up that project in 2021.

Wheeler: Commissioner Fritz.

Fritz: So you could give us a report back to council in a year or so right?

Sperry/Kolek: Yep.

Fritz: So that would be a rather than waiting the whole two years just come and let us know a year from now how it is going.

Kolek: Right, on the whole work plan, all the items including multi-family.

Fritz: And you as the commissioner in charge can make that happen can't you mayor?

Wheeler: I think that we are making it a part of the legislative record so let's assume it is the case, and if there is any question about the assumption I will make it an executive directive. Commissioner Saltzman.

Saltzman: So to be clear, you will be coming back not five years from now but a year from now?

Kolek: The work plan will have a different time line than the residential franchise mid year review so the work plan has a lot of items in there that will be coming back and be working on a different time line, and the multi-family is a pretty significant chunk of that.

Saltzman: Okay. I was, you know, impressed with your report, and I was intrigued by a couple options put on the table to potentially provide more opportunities for others to provide residential waste collection services in the city of Portland. The two that stuck out to my mind as intriguing are the notion that the city would, at the end of the current 12 years, purchase the franchises, and then reallocate them based on, perhaps, new criteria or the other would be at the end of the 12 year period, the franchises be put out to bid. Could you just briefly address maybe the pros and cons of each one of those?

Kolek: Yeah. That's a good idea, can you talk about that Arianne?

Sperry: So we did look at, we did look at both of those and the franchise system has enormous benefits to rate payers and has really helped our recycling goals, encouraged recycling composting, given us one of the highest recovery rates in the country, and the stakeholders around the table all of them, organizations representing the interests of

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minority-owned companies, as well as the current franchisees were all in agreement that the franchise system has many benefits, and there was not an interest in letting it expire. That was one of the options that we considered and was taken off the table early due to consensus.

Saltzman: But your recommendation to possibly assume the franchise is back, or purchase them back does not necessarily mean that we would abandon the franchise system? It means we would reallocate the franchise?

Sperry: Yes, so creating new entrance zones and we agree that there is a need for a new entrance zone. To do this, we need to make sure there are companies they are ready to take on the zone and have the financial capacity and management and operations experience. To be successful we know a new entrant would need to invest, depending on the size of the franchise, even the smallest franchise would be a minimum of a million dollars and our rates that we set, are based on average costs, but a new entrant would have very high initial costs, so they would need to be well financed to cover those high initial investments. We did a request for information to identify the potential companies, but there is a chicken and egg thing where because we were not bidding out a real opportunity yet, companies were unable to provide us with sufficient details to assure their financial and technical capacity. That's when we pivoted to look for options to create those new opportunities to build capacity outside of the residential franchise in the near term and at the same time exploring how to create a new zone within existing single family or multi-family system moving forward.

Saltzman: So the option to purchase them back and then reallocate them -- I guess if you are going to do something that's that radical in the scheme of things, it seems like the earlier you signal you are going to look at something like that, the better, both for the current franchise-holders and also for the potential new entrants. If they know, say two years into the 12-year franchise that there is going to be a new way of doing the business at the end of the ten years, then those potential entrants have something to focus on, and frankly, the current franchise-holders also know you know, the certainty that things are going to change after 12 years.

Kolek: Right.

Saltzman: Potentially change.

Kolek: Right. Exactly.

Saltzman: So I am concerned that if you -- I think that that's a very promising idea that should be seriously looked at. I know that we can -- we can say that we can solve all the problems in the multi-family sector if we just go there, but I also know that there is going to be a fierce resistance. This is not an easy thing to do. Apartment owners, others are really going to mobilize, so it's not just, you know, take it for granted we will just move the multi-family and solve the problems there. I do think that -- I think that It's intriguing that we should look, and maybe within that one-year report come back with a, an estimate, you know, some ideas about how to potentially do that at the end of the 12 year term.

Kolek: Okay.

Saltzman: As well as putting them out to bid, although I understand you know, the advantages of the franchise system has served us well. I understand that, but that does not mean that cannot be accomplished through a well prescribed opportunity to bid, as well, but I just, you know, in all fairness to everybody, the more time that you give to people, both current franchise holders and potential new entrants, the more likely those new entrants will be ready to step up at the time, and purchase the franchise from the city.

Kolek: Thank you.

Wheeler: Public testimony?

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Moore-Love: We have 13 people signed up. The first three are Charles Bridgecrane Johnson, James Posey, and Dave and Gianncarlo Cargni. Did you want to come up together?

Charles Bridgecrane Johnson: Good morning commissioners, for the record Charles Bridgecrane Johnson. Action is going to need to be taken to improve the way we really failed to serve, particularly, people of color and minority-owned businesses but also women-owned enterprise small business workers. So even though Mr. -- Commissioner Fish is correct when he talks about the need to also look at multi-family where trash is taken into large dumpsters picked up over the top of the truck instead of the small curbside buckets, since those issues have been separated, I encourage you to move forward with this based on what we hear from the really most impacted people testifying after me, people who are in those minority groups that are impacted. What they are going to add is much more important than what me as a person who looks at the bill that comes by the division in 46 and says, do I even know if this is a minority owned business or a women operated business or how they are handling equity? So the pdf package that came with this was rather long, and I can't claim to be an expert who comprehensively received it. The one thing I have not heard talked about as much as it should be is the metrics. Where are we going to see the numbers that improve our ability to help make this a less patriarchal business. I know when I watch from the curb, I will not necessarily wish -- I hope people -- it's a transitory career, but we know that in other cities people can -- we are going to need garbage people so maybe it needs to be structured so you can get a living wage doing that work. Also in the bigger pictures, especially as we look at branching out to regulate possibly commercial, or at least commercial residential, we know that the whole industry has been shaken by the way that China handles garbage. So I think that we also need to be looking at partnership with academia, to really get a handle on making these businesses resilient and having government and academic resources so that Oregonians can take care of their own garbage without it putting it in a boat to go across the ocean I know that works well for New York City. It's really -- there is no equity in that saying like, oh, garbage is complicated let's send it to some poor, colored people. Thank you.

Wheeler: Thank you. Good morning sir.

James Posey: Good morning commissioners, Mayor. Actually I just came this morning to support your agenda to take a close look at this system. I recounted to one of my friends that I remember back in the day when my grandfather was hauling garbage in Indianapolis, and I worked on the back of his truck with a flatbed, and we were going through alleys with 55 gallon drums picking up garbage. We had all kinds of animals running out of those 55 gallon drums, and it was an area in which black people, in fact, could make a living back in the day, and thought the irony of us coming today to talk about cracking this particular, what I consider a monopoly, historical, monopoly that benefited everybody, except people of color here, in the letter, years, and how this whole idea of inclusion and wealth building really focuses on you all changing policies that will actually break up historically what's been a closed system. I suggest to you when you all are talking about this, when you, when you talk about 12-year terms, and holding things out for 12 years, that's an eternity. It's an eternity and turn in terms, I don't know if I will be around 12 years and most of you sitting on this commission may not be here in 12 years ago, so I think what you do here today relative to analyzing this piece that you build in as much flexibility and as much ability to change the system as we go along, go along particularly in the area of making sure that there is access, a million dollars, I don't know if any of you could come up with a million dollars, so you could be an entrant to this process. So you are going to have to ask your people to go about developing this plan to not only look at the idea that we are trying to develop equity, but what's, what's common sense, reasonable, and how do we structure this so we have a pass way for people to get in. This is not where you are standing still and

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you are jump right into this process. I am suggesting to you this is a good process in terms of looking at this, but you have to go back and redesign it so that you can really be functional in terms of making it a viable access for people of color. Thank you very much.

Wheeler: Thank you, sir. And I was somewhat negligent we had two invited guests that'd like to bring up at this time. I apologize for inadvertently skipping over that Kristin Mitchell who is the executive director of the Oregon refuse and recycling association and Nate McCoy who is the executive director of Namc Oregon, otherwise known as the national association of minority contractors the Oregon chapter. My apologies, and welcome and thank you for being here.

Kristin Mitchell: Good morning mayor wheeler and members of the council thank you very much for having me here this morning. My name is Kirsten Mitchell I am the executive director of Oregon refuse and recycling association. I am here subbing for Beth Vargas Duncan, who is our regional director and she has been working on this issue for the past year. She had a commitment that she had made about a year ago and wasn't able to change that, so I am here in her place this morning. Thank you. So the members of Portland haulers association are all of the residential franchise-holders in Portland. Nine of them are small family-owned companies and every one of them has been providing service and working cooperatively with the city's bureau of planning and sustainability staff to provide safe, modern, and efficient waste collection services that include garbage and recycling and compost or organics collection, as we call it, at reasonable rates for the residents of this city. The franchise agreements are important to all our efforts to meet many significant goals that the city has set on safety, environmental protection, and efficient service, but I would like to focus on two of those goals as those are the conversations that are before us today. The first is equity. To advance an equity and open new doors of opportunity, and the second is to stabilize current franchise operations and allow for necessary financing to continue forward the access to capital issue. First I am here in coordination with namc in support of the agreement and to assure you that our commitment to working with the city and other partners to identify ways to open doors for new entrance in the waste management industry is a long-term commitment. Over the last year, pha, namc and other community partners had been working with the city bps staff to advance new equity and diversity goals outlined in the new franchise agreement, this has been hard and important work. There have been difficult moments in this process. It would be disingenuous to suggest otherwise, but what could have been polarizing has actually been uniting. In fact our group efforts are also leading to individual relationship efforts outside of the city's regulatory process. The franchise renewal agreement serves as a foundation and framework to govern these ongoing efforts. Once the renewal is in place, we can move forward into the next phase of the work plan that will determine how we meet the terms of the agreement. It will be how we identify strategies to reduce barriers to new entrants, how we expand opportunities for new entrants, and how we meet new goals for increasing opportunities across the industry for more women and minorities to succeed and grow in careers in this industry. Pha members are here today to demonstrate that their commitment is strong to work with namc, the city and others in the community, and to share our expertise in the industry including our own challenge in navigating the business of waste management and a volatile, economic climate while also helping to identify ways to reduce the barriers to entering and growing a business or career in waste management. As I stated earlier, this work to set clear targets and outcomes to measure success with strong accountability goals can only begin if there is a framework to guide that work, and the franchise agreement is that framework. Second the franchise agreement is not only critical but urgent to meet the basic needs of financing. This is true for new entrants and current franchise owners alike, access to capital is critical for any company to succeed in any business needs a solid agreement with clear terms in place before a lender will

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provide financing for operations and capital such as clean fleet vehicles one of the environmental goals. Those trucks cost in the range of \$330 to \$370,000, depending on the type of truck. If the original time line for renewal had been met, franchise owners would be entering into their second year of a new agreement, so this one-year delay has caused tremendous strain on some of these companies. With an agreement these companies can secure the loans they need to meet the expectations of current and future agreements, have certainty for their employees, who they employ in family wage jobs with excellent benefits, and allow them to continue to provide exemplary service to the residents of Portland. Furthermore the certainty of a franchise renewal allows our members to look forward to planning and working with the city and other partners like namc to meet all the goals set by this renewal. In conclusion for many decades Portland haulers association members have demonstrated a strong commitment to providing excellent service to the residents while also producing sustainability results and consistent operational safety. We bring that strong record of commitment to advancing the next phase of work to increase opportunity and reduce barriers for new entrants at every level in the waste management industry. We look forward to strengthening our relationship with namc, continuing to partner with the city and continuing to provide the people of Portland with reliable, sustainability and safe solid waste management services. Thank you and happy to answer any questions.

Wheeler: Thank you.

Nate McCoy: Mayor, commissioners, thank you for having me again this morning. I am Nate McCoy, executive director of namc Oregon, for the record, I am here solely today to kind of echo the unity that I think over the last year we have had. I, fall of last year I think we all came into this, the haulers and some of our namc contractors a little guarded I think with kind of what we thought the system should be, could be, and what the ultimate outcomes we were looking for. I wanted to thank personally real quick the city staff of bps, Arriane and Bruce, the haulers, of course, Jeremy Hayes, Desiree Williams, raji who is the consultants who helped us convened this committee, and just the stakeholders, wrestling around the table. What I've been fortunate to have given that I am on a lot of committees is a group that was eager to actually rustle with the uncertain equity initiatives of bps, and, you know, and what the commitments looked like, and they brought data and we had an analysis of what the industry could be and should be. The one thing that I would say is a caveat is that we want to see a little bit more folks in the management levels in the workforce. We saw great numbers of people who actually do a lot of the dumping and picking up and hauling. A little less of the management level and entrepreneurial side of the equity agenda, but I think there was a willingness through this equity work plan to really figure out how that could, you know, could play out to really show there is some growth within coming into this industry up into a management or even starting your own hauling business. One of the things that I think we have all concluded with is it's very different when a minority or a person of color goes into a bank to access a loan versus our white counter parts and that is a huge priority for this working group going forward. One of the things that I have thrown out there would be great for our commissioners to consider is as folks go out there to access loans, it seems like an appropriate step for this leadership to guarantee some of these loans, especially when we are talking about facilities that the city owns, parks, public cans, what better than having the backing of a government agency saying, as these minority and particular women come in as these new entrants, that we are backing them and making sure that they can access the kind of loans that they need to buy equipment, to sustain a workforce, and to grow and prosper. These are the things that I hear you all speak about, and that's the part that I really want to make sure that we wrestle with going forward. The other comment I would say is the one that nick pointed out earlier. Multi-family, huge opportunity. Hugely with metro having a bond, the Portland housing

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bureau having a bond, and home forward who has been a partner at the table. We want to carry these conversations forward because we want to expand the pie bigger than, you know, and be bolder than, I think then we all imagine today. Lastly, what I will say is I also agree that, you know, the mid-term review is a priority, but I agree that there should be a yearly check-in and I have asked of each of your office is to have an appointed person from your office to ensure that we are meeting the milestones and goals that we sought out because five years is not too long but to have a constant check-in, quarterly, yearly, I think is a way to ensure that we are holding every accountable. Lastly I will make one more comment. The technical assistance. We threw out there, and I think bps is definitely going to propose this, but we have already got a program that works well. The prime contractor development program. It is where all of our minority contractors and women-owned businesses find themselves competing for work against each other, not the big boys, getting technical assistance, getting access to capital, and what better than recreating the will to throw new entrants, and potentially new certified firms into this program that has worked for city of Portland and it allows us to have the set asides that we hope could give them some competitive advantage or a little bit fairness in the industry, because most of the haulers have years of experience and years of contacts and books of business that would be hard to compete with for any new entrant. So I just really want to stress the fact that we have tangibles, we have some matrix, and I think we just want to make sure our leadership across our five commissioners, mayor included, that we have people there committed from your office to ensure that staff and our stakeholder groups are really stretching and really trying to create more opportunities. I feel good about where we are, and we would hope that you guys would approve this so we can move forward. Thank you.

Wheeler: Thank you. Commissioner Fish.

Fish: Nate I was intrigued by something you said, and I want to make sure that I understood it. I like the idea of taking bond funded projects. This would be typically new construction, new multi-family cause there might be pre-existing relationships with our preservation agenda. But in these new developments, you are suggesting that not only could we potentially carve out multi-family developments where the city is a participant, where we are helping to finance. It's new, so it's additive, and at the same time, guarantee some of the -- look at the access to capital issues and guarantee loans, carve out a piece of that business, franchise it and see whether we could bring some greater mwbe participation. Is that what you are saying?

McCoy: Absolutely yes.

Fish: It's another reason that we should hope that the 26199 passes, but that's \$250 million of bond proceeds just going to Multnomah county. We have \$60 million or so or more in the pipeline that hasn't been spent on the housing bond. That's a lot of purchasing power.

McCoy: Absolutely.

Fish: Thank you.

Wheeler: Very good. Thank you.

Mitchell: Can I briefly answer what I think is an operational question that commissioner Fish asked about the multi-family versus the residential franchise? One of the reasons that it's different is because of the operational issues. When you are picking up a two, three, our four-plex, those are generally carted service with the same truck. When you are picking up a large multi-family residence, that tends to be is a front load truck with a different, you know, like what you would think of as a dumpster for collection, which is a different kind of routing and a different kind of routing and a different kind of equipment and I just wanted to make sure that that difference was understood about why that is not in the residential franchise now currently and why it's a conversation that we can have going forward. To commissioner Saltzman's question on the length of term, the 12-year term was

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something that the stakeholder group talked about quite a bit, and one of the reasons that we felt that that was good was that it would allow better access to capital because when lenders look at things, they look at the length of the time you have for the contracts, so as you move through that, the closer you get to what could be the end time, the less possible it is to obtain financing to purchase those expensive trucks or do the things that you need to do in capitalization so I wanted to clarify those two points. Thank you.

Wheeler: Thank you both, thanks Nate. Good morning would you like to start sir?

Brian Heiberg: Good morning mayor wheeler and city council members, my name is Brian Heiberg, I am here joined with my niece, Jessi Heiberg. Jessi is our third generation of our family owned and operated business, Heiberg garbage and recycling. Jessi is an integral part of our company as the office manager and customer service supervisor. She's here today to experience the pleasure of public speaking, which I dread and in front of a crowd of people. You are elected officials, I expect her to take this role over for me in the future.

Wheeler: That's great.

Brian Heiberg: My parents purchased their company in Portland in 1947. Last year my brother, Bruce, and I proudly celebrated 70 years of Heiberg garbage providing garbage and recycling collection here to our customers in the city of Portland. I met with many of you before and testified about the history of the company, our work with the city and setting up the franchise collection system back in 1992, and the large investment that we have made in clean burning, compressed natural gas trucks including an on-site fueling station. In fact Heiberg garbage was the first Portland franchise collector to purchase and operate compressed natural gas trucks in Portland. We have done so, to do our part to address the air quality in the city. I have also provided information about diversity of our workforce and the commitment to providing family wage jobs and good benefits to contribute to the economic growth of our city. Our commitment to all of these values remains strong. We've been operating without a renewal in place for the last year, which has been difficult for many reasons. Our unfortunate -- one of the unfortunate results of this delay has been that we have had to purchase diesel trucks instead of compressed natural gas trucks. The uncertainty of the franchise renewal and the additional cost of these compressed natural gas vehicles of 25 to \$35,000 more is something our small company could not overcome. Nor could we secure the financing we would need to overcome -- to cover the increased expense. We are committed to our customers, our employees, and the service we provide for the city. We have worked collaboratively with city staff and other stakeholders represented in this room today on the language in terms of both documents. We are now at a critical point, if this agreement does not advance locally owned companies like ours will be hurt. It will jeopardize our ability to continue to provide the award-winning service we do in a way that advances the key goals of the city. It will certainly halt the advancement of new goals as outlined in the agreement before you. In addition to addressing climate change this agreement is essential to advancing the other guiding principles, ensuring cost effective, safe and environmentally sound operations, providing exemplary customer service, and developing a resilient and equitable system. As you have heard from others today the Portland haulers share the values of supporting a diverse industry where small local owned businesses and large ones can work together to provide excellent service to Portlanders and support opportunities for new entrants in the waste management industry. Heiberg garbage and recycling started as a small company so we know that first hand the challenges of starting a company and waste management. We have learned a lot over the years about --

Wheeler: Thank you I am sorry you are going to have to keep it cause we're a little backed up here today, you are very good at public speaking. We think you can probably top that, though.

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Jessi Heiberg: Okay. I want Jessi Heiberg with Heiberg garbage and recycling. As brain was saying we started a small company so we know first hand the challenges of starting a company in waste management. We have also learned a lot over the years about how to manage the successful company through the volatile periods that come into the industry. The market changes those are out of our control, cost increases, policy increases, changes that influence how we provide service to our customers. Our hope is we can use our expertise and lessons learned both the good and what we wish that we would have known to help potential new entrants, we also want to help use our experience to shape the administrative rules that govern this agreement so that the rules support an up and coming company and everyone is set up for success, the companies and the customers alike. We are here today in support of this long term process, and with the straightforward request. We ask you accept the franchise review report and waste equity work plan and direct that the ordinance come back for a vote next month for approval. None of this important work can advance without the renewal of the franchise. Thank you very much.

Wheeler: Thank you.

Brian Heiberg: She's a much better speaker than I am.

Wheeler: Good morning.

Dave Cargni: Good morning mayor wheeler and members of the city council. Thank you for the opportunity to speak briefly today about the Portland franchise agreement for residential recycling and garbage service. My name is Dave Cargni, and this is my son, Gianncarlo cargni. We are here representing Portland disposal and recycling a local family owned business that has been serving customers in Portland for over 80 years. There is seven principle owners, including myself and each of us individually has a minimum of 39 years in the business. We are committed to our customers and our employees we share the values of Portland. We have been affective partners with you and many others in this room and remain committed to those partnerships. We are here to urge you to support the franchise agreement after a year of discussions. You have heard other haulers and our association speak to many issues. Our safety records, investments in clean fleets, new technology, and excellent customer service. Portland disposal is committed to continuing these achievements and is proud of the reputation our industry has built. I am here today to represent a company that always has always valued diversity, and those values have guided how we hire, operate, and elevate those within our company. We employ 85 people from diverse backgrounds, and we are always seeking new ways to expand our reach into all the communities so that our workforce represents those communities we serve. We also believe in supporting our employees so that they have opportunities to grow their skills and move up in the company when vacancies occur. Our vice president and office manager are both women and our cfo and operations manager is of Hispanic origin. As a small company with deep roots in Portland and a diverse shareholder group we want to be part of the efforts to expand opportunities for more diversity in our industry, but as a small company, we are also at risk when the franchise remains uncertain. The financing needs as described earlier are real. We want to be focusing on new ways to support more jobs in this industry and creating opportunities for new franchise owners, but with an agreement, without an agreement, our attention is diverted to keeping our existing customers served and employees paid. This industry in Oregon was built by business owners of varying ethnicities including african-americans, Germans, Italians, among others, over time it has consolidated. Many business owners decided it was their time to retire. These hard working men and women came to us and entrusted us with the businesses they had built. All of these businesses were purchased which created debt and financial risk. If I am over I will let my son finish.

Wheeler: Very good. Thank you. Good morning.

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Gianncarlo Cargni: Thank you. Good morning, Gianncarlo Cargni. I share this because we are an industry of inclusion, one that supports each other even though our competitors at times -- because it's our core value of who we are, where we came from and how we continue to progress in the future. My father wants to be able to pass this company onto myself and maybe my children knowing that the values, reputation, and integrity our business has built will continue to expand and progress for years to come. Portland is also growing rapidly. There is enough opportunity for current franchise owners to continue to provide excellent service and quality jobs while still opening the doors for new entrants, but to accomplish these goals we must first secure a franchise agreement. I sincerely hope and my father sincerely hopes that we can move beyond this procedural necessity to approve the franchise and turn our attention to the work that will advance opportunities for new businesses and create the certainty that businesses like ours need to continue to operate in Portland. Thank you and we urge your support on this agreement. Thank you very much.

Wheeler: Thank you, all of you.

Saltzman: I want to take a moment of privilege to personally thank the Heiberg family for their leadership on using compressed natural gas. That is no small task. As commissioner Fish well knows in his leadership in his proof to power initiative to take methane gas from our treatment plant and use it to fuel vehicles it's not the norm it should be because it's a very clean source of fuel. It can even come from renewable resources like methane gas from a treatment plant. So you're stepping forward and I'm a Heiberg customer, full disclosure, and I still marvel every time I see those compressed natural gas trucks. They seem to be quieter too. Definitely cleaner.

Brian Heiberg: Quieter too. Solves the numbers problems.

Saltzman: I just want to commend you for your leadership on that.

Wheeler: Very good. Next three, please. Good morning.

Alex Witter: Good morning. My name is Alex Witter, I'm with Chetco construction services, I'm the owner of the company. I just first want to say thank you, everyone, for coming together and hearing this. This has been a long road, Bruce walker, Arianne, Jeremy Hayes, they took 15 of us at a table that were all wanting a piece of the pie and trust me it got heated. A lot of it was maybe me. [laughter] I think that we are right at the point of finding something that works. What I do want to say that is with this waste equity work plan this will give the foundation of something that will offer equity to a small company like myself. I know that everyone keeps saying five years, 12 years, those are all solid figures. Everyone also keeps saying access to capital. Access to capital is a huge part of any new business. I do have access to capital, so if that opportunity were to come sooner rather than later I would be ready to take on that responsibility right now. Again, thank you all for your time and I really hope we can all work together and get along.

Wheeler: Thank you. Good morning.

Vallerie Gruetter Hill: Good morning. Mayor wheeler, members of the city council, I'm Vallerie Gruetter Hill, president of the Portland haulers association and owner of Gruetter sanitary service, a family owned garbage and recycling company serving Portland residences and businesses since 1951. My mother and father started this company, my father was an immigrant from Europe with a dream. Together they were determined, worked hard and fought to overcome barriers that many immigrants faced during that time to establish their company and provide for their family. I am both proud and privileged to have the opportunity to continue in my parents' footsteps to serve the people of Portland. My remarks today represent my views as both a hauler and a small business owner. As a small business owner the franchise agreement is essential for my business to continue to operate. Operating a waste management business is very expensive with infrastructure costs that include trucks, carts, fuel, maintenance and more. Add to that the cost of labor,

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we value our employees and we pay family wages with excellent benefits. Then consider the unexpected increased cost due to recycling market crisis. We are grateful to the work in this community, we are grateful to work in this community that supports efforts to allow our shared values to thrive but this past year has been very stressful one for our small company. We need an agreement for our lenders to have assurance that we will have the business revenue to honor our debts. We also need the agreement so lenders will provide the financing to continue to advance the goals outlined in the franchise agreement around climate change, safety, and other policies that influence how we collect and sort materials. Those goals are often require our business to purchase new equipment and make other investments. This agreement is not only important for existing franchisees but critical for any potential new entrant who is seeking to acquire a franchise. The agreement is what banks and lenders need and all companies need financing to operate. As a hauler and president of the Portland haulers association I'm proud of the partnerships we have formed with the city of Portland and staff of bureau of planning and sustainability. I'm also proud that our group of stakeholders and partners has expanded. We are learning new perspectives from the community and I believe the others are learning from ours. While at times it has been tense, I believe we all want what is best for the city both in terms of creating and supporting economic opportunities for small companies as well as providing excellent service to the Portland residents. I wish that you would support the franchise agreement.

Wheeler: Thanks for being here. Good morning.

Andre Baugh: Good morning. Mayor, commissioners, Andre Baugh. First I hope you support the franchise agreement. It gives the haulers what they need to move forward, but I want to be clear, it does nothing for equity. In 12 years I doubt there would be any a more diverse group. So it's a good agreement for them. It moves their values forward to keep the businesses, to get the quality we want for our residents, so I encourage you to not make any changes and move forward. The work plan, on the other hand, is the tool. It is totally in your control without your directives to your bureaus, that is an implementation plan, not a study plan in my view. So if you study it to death and get a report back each year, there will be no equity move forward in this area. The areas and I'll be quick about what I think each of your bureaus can do, in the area of housing, the housing bureau today sets requirements for people that want their money for participation of mwesbs, for energy efficiency, a number of things. There's nothing that I think would prevent them from saying they have to use a hauler that is of mwesb. You have agreements around garbage collection today that you could change in the parks area. You can do things around transportation. You can work with other agencies, Multnomah county, home forward, in talking to them about the collaboration that the city already has and moving forward. These are things that are already in the work plan and to be able to come back and within a year say how do you move forward I think is reasonable. Staff has done a very good job in looking at the opportunities that are out there. What you really need now is in a year how do we move forward and what are the agreements you need to have minority firms pick up city garbage, get into the multi-family. The multifamily area in my three years of delving into this issue is it's the growth issue, that's where Portland is growing, as you know in multifamily the ability to direct and push that area with the haulers and it's the area that has the least amount and you can check with staff, but it doesn't have the best recycling record. So we can improve the recycling and do things with the minority haulers. I encourage you to direct and have your staff work with bps to implement the work plan. Thank you.

Wheeler: Thank you all.

Moore-Love: The next three.

Wheeler: Just a time check, Karla how many more do we have?

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Moore-Love: Two more.

Wheeler: Good morning.

Mary Sipe: Good morning. I'll get started my name is Mary Sipe. I just want to say that I strongly support commissioner Fish's comments about the multifamily piece of this. As I'm sitting here and I was watching the power point presentation and I saw the pie chart and I see 20% is residential and 80% is multifamily and commercial, my perspective is, okay, we're talking about a program to expand opportunities to minorities, women, emerging small business owners but we're only giving 20% of that piece of pie as the opportunity. I think we need to look at this carefully. What comes to mind for me is the Pearl district. Pearl district might be a great place to use as a pilot program. When you look at the concentration of multifamily and commercial in that community, it also might address issues with noise from the garbage pickup and the multiple all day long different companies that are coming into every building. So I wanted to just support commissioner Fish's comments, and I also want to thank Heiberg as well about using the compressed natural gas. It's one of the things in the community where I live with all of the trucks that are diesel the amount of diesel emissions that we have in our neighborhood is really starting to concern a lot of people and I think especially something like this, any company like this that can make that kind of expenditure and any financing opportunities that the city can provide to help encourage that I strongly support. That's all I have to say.

Wheeler: Thank you. Good morning.

Ashley Henry: Hello I'm Ashley Henry representing business for a better Portland, we're a membership organization comprised of about 265 companies in Portland and pleased to be here to support the agreement. Actually it was great to look back at our comments from August of 2017, the letter we submitted when you began this process. It was actually the first time that we testified as an organization before city council, and at that time we had about 100 members and today we have over 265. It's interesting that of all the topics that we could have chosen to testify on the very first one was this issue and it may seem like a relatively obscure issue compared to all the things happening in our city, but given the fact that our organization really set out to call attention to historic inequities that have existed in our city and try to find ways that businesses could elevate concern about that and ways that policies can address the inequities that were created by policies in the past, really made sense for us to be weighing in on this topic. I want to thank you for that opportunity and encourage you to continue the good work being done already with the waste equity plan and to stay on top of that because there's going to be obviously leadership changes at BPS, and I know these kinds of things can sometimes -- things get busy in the city. So we encourage you to continue your focus on it because the outcomes are incredibly important to create more opportunities for local companies to continue to grow in the city.

Wheeler: Thank you, Ashley. Appreciate it. Good morning.

Elizabeth Start: Good morning. I'm Elizabeth Start, I'm executive director of Scrap which has nothing to do with this because we get people to reduce their garbage and reuse, however I have a unique background in equity, solid waste and recycling. As part of the stakeholder group, as one of the only non stakeholders, however, this work is really important and I appreciate the council's direction on getting more folks of color and women to own -- into the industry and to reduce those barriers in getting more businesses and also the great work that BPS has put into this. I support moving forward with the contracts. There's a lot of companies waiting in their livelihoods, their businesses are kind of at a standstill so I support that fully, however, I think it's important to recognize these businesses have benefited from a system that has created these barriers to people of color because it is white owned businesses. So I think that as we go along this process I recommend that you support the waste equity plan and as we go along the next 12 years and look at these franchise agreements that there's going to be a lot of hard decisions that

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are going to have to be made and people will be affected but I think there is an equitable path forward that will benefit all of the parties. Thank you.

Wheeler: Thank you. Next three.

Moore-Love: Last two.

Wheeler: And while they are coming up I'll do the message again. This morning, Wednesday, October 3rd, fema is conducting a national alerting test which will notify almost every person in the country simultaneously. Here's what's to expect. Number one, if you're thinking who gets left out, right? At 11:18 a.m. the wireless emergency alert system will send a test message to most cellphones saying this is a test of the national wireless emergency alert system. No action is required. At 11:20 a.m. the emergency alert system will send out a test message on tv and radio and we want to acknowledge that may impact coverage of the city council hearing at least briefly. Greetings.

Lightning Disruptive PDX: Yes, my name is lightning I represent lightning disruptive pdx. One of the concerns I have heard from commissioner Saltzman is maybe purchasing the franchise at a certain time. When that was thrown out my curiosity kind of looking at that is that including the total business value of the company that controls the franchise at that time? Because we could be talking a tremendous amount of money if that is, but if you are putting a certain number on that franchise itself, separate from the company itself, I'm curious how you do that valuation because it's my understanding on this franchise agreement where 8% and 3% goes to rate stabilization, so when you threw out a purchase price I would be curious how you come up with that number. Issue number 2 is that a lot of these companies that have these franchise in position really to me that is a monopoly and we looked at the same thing from a tax district when Uber and Lyft stood up her and said you're going to allow us to expand out to the mark place or we're just going to sue you is what their attorney said. From my position this is almost monopoly here that has been allowed from within the city to the city's benefit and again, why did you not go into the area the multifamily and commercial? Why did you not expand into that area? Cause in my opinion what you have and I'll throw out kind of a wrench into the middle of this franchise, you can sign your name and have this franchise and this nice little sweet little paper where you give all these little benefits to certain people on this franchise agreement, but here's something from lightning. You cannot expand and have any additional agreements in the commercial arena if you get this franchise for the residential. You're going to have people in this room saying you better be careful what you're saying because we have those agreements and those routes already. So when we get this money, that gives us the ability to go to the bank and say, hey, we secured this franchise, now we're going to get the equipment, we're going to have the money to operate, and now we can come back in and get the commercial routes and that's going to step all over all the small players that are trying to step up and go to that bank and say hey I want to get a loan for this commercial agreement and I can't get the money. I can't get the money and compete. This must be Donald trump cutting me off. Mr. Trump -- [laughter]

Fritz: My phone is on silent.

Eudaly: Mine too.

Lightning: Should I continue? My point being is that this is a very monopolized system here and the people in this room want it to be kept that way. We saw what happened in the taxi industry, it opened it up and when you're talking about getting that financing from the bank you are the signature that gets that financing unless they have a strong net worth and a lot of money in the bank they are not going to get that financing. I suggest you don't extend this out the full term. You cut the time frame up a little bit, go to about a five-year and let the small businesses step in on these commercial accounts.

Wheeler: Thank you.

Lighting: And make sure they have the money to do that.

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Wheeler: Thank you. Good morning.

Alando Simpson: Are we good?

Wheeler: We're good.

Simpson: Thank you, sir. You left me. I'm alone. Mayor Wheeler and members of the council, for the record Alando Simpson, my company is City of Roses Disposal and Recycling, otherwise known as Core, which is a locally owned minority owned entity in business for 22 years. I don't want to consume too much time here today because there's been some very valuable testimony that's been brought forward by all stakeholders and constituents that have been involved within this process. I just want to tip my hat off to those that have sacrificed a lot of time, resources and energy and effort diving through such a complicated matter. I think last time we were here talking about this prior to proceeding down this step Commissioner Fish had indicated that he felt some kind of tension and I believe there was tension. There was true organic tension because what was being considered and being discussed at that time was disruptive and in these particular times I think disruption is necessary for our society. In all facets of it and the good thing is that from that disruption and from that chaos and from that pain we have actually been able to come to a consensus on a direction we all think will be adequate that we can go down and be proud about in the future of our solid waste and recycling systems not only for the constituents and stakeholders of today, primarily those that are going to be benefiting the most on the franchise agreement, but also the stakeholders and constituents of the future and the future generations. I feel as an entrepreneur, a business owner of color it's my responsibility as well as a fourth generation Portlander to utilize a platform and foundation that my grandfather and my father have put in front of myself and my siblings and the rest of my family members to try to build something substantial and create wealth because as we know wealth is the caveat to a lot of the challenges we see in society today relates to the economic disparities. The irony here is that there's an important document that was released throughout this process in 1955 city club report which talked about racial discriminatory practices that have existed in the solid waste system in this very city and then I go back to look at, in '17 Mayor Wheeler you presented your state of the city speech at the city club talking about reducing barriers to economic opportunities and building wealth in communities of color, primarily African-American communities. Given the fact that the thing people see of least value being waste could be the catalyst to us achieving some of these aspirational goals that our leader in charge has set out I think is not only groundbreaking but it sets the tone for the rest of the region, the rest of the country, and most importantly the rest of the world. As somebody who loves this city, I am very adamant about us making sure that we achieve sustainability in all facets, not just the green side and not just around our environmental footprint, but also utilizing equity and diversity as a caveat to help us get to a truly prosperous, resilient eco-system for future generations. Just for the record, as we're talking about opportunities in the system, around multifamily and city facilities and all the other opportunities that staff are going to be entertaining and looking to explore, I want you guys to be fully aware that my company is capable and willing and ready to take on some of those opportunities if they are presented. The difference between investment from my lens for how I perceive investment, is because I make investments to take a risk. Risk does not assure a return. When you have a franchise that's a guaranteed return. So it's not really the same way I view investment. Investment is putting yourself out there. So as we stand today and I'm sorry that I'm going overboard cause I know you guys have to move forward, I just want to compliment staff. I think staff have done a tremendous job coming into something that is completely foreign and they have dove into the deep end and found a way to get to safe grounds. I commend the PHA group. All the other constituents, big waste companies, small waste companies for us all to be able to convene true, honest, transparent conversations

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and sit around the table to come to a solution that is not only going to benefit all the stakeholders and constituents involved but as I have indicated before, the system going forward and all our future generations. So thank you.

Wheeler: Mr. Simpson, thank you. You have been very helpful and very active on this issue. I can't tell you how much I personally appreciate that.

Simpson: Thank you.

Wheeler: So colleagues we won't be voting on the franchise agreement itself today. The city charter requires we move that out 30 days for a vote.

Fish: Mayor I move to accept the report.

Eudaly: Second.

Wheeler: One moment commissioner Fish. With regard to the franchise agreement, what day do we want to put that on the agenda?

Moore-Love: November 7th.

Wheeler: So that will be, I'm sorry November second?

Moore-Love: 7th

Wheeler: 7th and is that time certain or just on the regular agenda?

Moore-Love: Regular agenda.

Wheeler: November 7th. With regard to the report, commissioner Fish moves the report. Commissioner Eudaly seconds the report. Please call the roll.

Fritz: Why are we voting?

Wheeler: Just on the report the 18 franchise agreement report.

Eudaly: Well, I want to thank everyone who came to give the report today and give their testimony and for raising these important issues around equity, lack of equity and opportunity. One of the things I love about this job is there is always a new area to learn about and explore and waste and recycling is a new one for me. It's really a vital issue and I'm generally pleased with the improvement that the city has made in utilizing women and minority contractors but there's obviously a lot of room for improvement here. So I'm just want to put on the record that I'm concerned about continued consolidation in the industry which stands to leave us without any Portland-based companies in the garbage recycling reuse and composting system let alone women or minority owned companies. So I support moving to a franchising system for multifamily buildings and making sure Portland-based companies as well as companies owned by women and people of color have a chance to access that market not only for hauling but also for processing and transferring those waste streams. As we heard today I'm well aware that these are capital intensive industries and that we have to be sure that companies have the capacity to compete before we help open up new markets, but we should proceed as quickly as we can to open our create new opportunities for Portland based businesses. I vote aye.

Fritz: Thanks very much to staff. This is an amazing, great work. Thank you to everybody who participated. I would not have guessed we would get to a hearing where we would have so many people coming in saying, yes, move forward and we're all in agreement. This is obviously something everybody cares about passionately and I believe we can and should make changes. I appreciate the mayor directing that we will get a report back at council within a year so that we don't just put this on the shelf and on the back burner, that it stays as an issue of vital importance to everybody. Aye.

Fish: I don't remember the last time we had a hearing on accepting a report and there were no dissenting voices. Which often happens. Been a good hearing. I want to echo what everyone has said about the staff and the process that has been followed over this past year. I visited with Mr. Simpson the other day, and I got kind of a primer in the industry and there are some things which I think we need to seriously consider in the next year. I'm very interested in looking at the multifamily housing other than the fact it's a different piece of technology to collect the trash I think it's still in my mind residential in

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character, it just requires a different truck. I would like to know what our options are when you come back to us in a year from now. I appreciate what Mary said about the pearl district and it reminded me of how offensive it was the other day at a public forum when someone who was opposing 26199 said it would lead to creation of ghettos. Now, the logic of that is that if you invest in affordable housing you're creating ghettos, ghettos like the pearl district. So I was pleased, Mary, that you pointed out that in terms of just raw percentage we have more affordable housing in the pearl than any other part of our city, and we should not be using words like loaded terms like ghettos to describe providing affordable housing for working families. I appreciated the earlier testimony about taking a good, hard look at what both the housing bureau and the parks bureau can do. The mayor has indicated he wants to put a beautification plan on steroids. Actually probably not on steroids I don't want to get him into a regulatory problem here, but he wants to expand garbage collection and find ways to keep up with the demand. It does seem to me that parks and housing will be the lead bureaus in that and has been suggested we may have some flexibility in how we can structure that work which I would like to know about. Also just a footnote that I would like to know more about and an email from staff would be fine on this. That would be I know that metro takes a dollar a ton for beautification projects and I'm interested in how that money gets carved up and what comes back to us and I understand it generates \$250,000 a year either for us or in the pot more generally, just interested in what our share is of that. This is a good report and it's a basis for doing I think even more work to expand opportunity going forward. I'm pleased to vote aye.

Saltzman: I think I just want to say that while I think this report has some interesting recommendations or ideas I should say, ideas, two of which I asked about, which are the notion of the city reassuming the franchises at the end of 12 years and redistributing or reallocating the franchise territories, or putting it out to bid. I know those are radical concepts to the existing hauling community and this is not said in disrespect at all for the work you do in fact I have a tremendous amount of respect for the work you do from the ground up, but I do think we need to look at doing business differently if we're going to achieve equity goals and those are options that deserve an honest examination. I don't know if any of my colleagues know this and I wasn't on the council in '92, but that's when we started the franchise, but around that time there was such opposition to the idea of franchising that I remember the haulers circled city hall with their trucks in opposition to franchising. So we have come a long way. Since we franchised in '92 I want to commend our haulers for helping us as a city to get to the tremendous recycling rates we have now and the ease with which all residents take pride in putting their carts at the curb once a week. Some even less than once a week, but it's really been I think -- it's given Portland recycling rate that is the envy of many, many cities. So again, not only do I commend the haulers I want to commend the bureau of planning and sustainability staff, particularly people like Bruce walker, who helped transition us from sort of an unfranchised system to a system now that is really achieving a lot of goals and that doesn't mean there aren't other goals we need to consider achieving as we move forward as a city. I'm pleased to support this report. Aye.

Wheeler: I want to thank everyone who spoke today, the residents, the haulers, staff members who spoke as well as those who participated in the many meetings orchestrated by bps over the last year. There's clearly a lot of interest in this important issue. We're committed to continuing to push to create new opportunities for minority and women owned businesses while also honoring the haulers who have invested so much and as commissioner Saltzman just said have provided excellent service to the people of our city. Bps took a holistic approach to this review and considered opportunities across the entire waste and recycling industry not just in the residential sector which accounts for only about 20% of the waste generated in our city, it turns out that many of the best near term

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opportunities are actually outside of the residential franchise as people have noted today. I know some wish we could move faster to create opportunities in the franchise system itself but I also want to be clear that our intent is to go far, not just to go fast. The actions bps has identified to create opportunities for minority owned and women owned companies will build capacity and I ultimately believe it will help them to grow in the waste and recycling industry. It's important to note that these opportunities are actually much bigger from a dollar to dollar perspective than the franchise system alone. Finally, this is truly important work. The future of our economy is minority and women owned businesses whose growth is far outpacing that of nonminority owned businesses so I'm very glad we here in Portland are continuing to work towards reducing the barriers for these companies to participate. I also just want to take one moment to thank a few individuals. Amy Rathfelder from my office has been working very, very hard on this with the bps team and I of course want to acknowledge the work that Jill Kolek and Arianne Sperry for not only their tremendous presentations but the hard work they put into this all along. I vote aye. The report is adopted. Thank you. Next up is belatedly I'm sorry to say, 1024. Thank you for your patience.

Item 1024.

Wheeler: Good morning.

Laura John, Office of Government Relations: Good morning, I'm losing everyone here today.

Wheeler: I apologize for the delay. Thank you so much for your patience this morning.

John: Thank you. Good morning, mayor Wheeler and city commissioners. My name is Laura John and I'm the travel relations director in the office of government relations. Present day Portland is located on the traditional village site to the Multnomah, Wasco, Cowlitz, Kathlamet, Clackamas, bands of Chinook, Tualatin Kalapuya, Molalla and many other tribes who made their home along the Columbia Willamette rivers. Let us also acknowledge our larger native community members whose journey's have brought them to Portland by various ways some seeking opportunities such as working in the shipyards and living in vanport and others by way of forced displacement through federal policies such as the boarding school era which includes Chemawa Indian school just south of Portland where tribal termination such that happened to many Oregon tribes. Today these same communities celebrate their rich heritage through a reverent, resilience and tenacity that would be greatly admired by our ancestors. I want to just take a moment and ask those that are in the room today who have native ancestry or identify as American Indian to stand. [applause] thank you. In 2015 the city passed resolution number 37154, which declared the second Monday in October as indigenous peoples day. I want to read a couple of excerpts give some further background on why the city made that decision in the past. Whereas indigenous peoples day was first proposed in 1977 by a delegation of native nations to united nations sponsored international conference on discrimination against indigenous populations in the Americas; And whereas the united states endorsed the united nations declaration on the rights of indigenous peoples, the declaration on December 16, 2010 and the declaration includes that indigenous peoples have suffered from historic injustices as a result of internal colonization and dispossession of their lands, territories and resources; And whereas article 15 of the declaration recognizes the right of indigenous peoples to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information and places an obligation on states to take effective measures and consultation and cooperation with indigenous peoples concern to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous people and all other segments of society. Today we again reaffirm the city's commitment to promote the prosperity and well-being of Portland's american indian, Alaskan native and indigenous

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communities by refocusing the lens of our historic narrative to honor the important contributions of traditional traditions and culture. We do this on the heels of the commencement of our inaugural tribal nations summit which happened last Friday where we brought together leadership from the Cowlitz, Siletz, grand ronde, Umatilla, warm springs and Yakima nations it was quite the day. Concurrently to the summit over 100 city employees attended a training to learn more about the importance of the Columbia and Willamette rivers to the tribes in our regions, the value of protecting first foods and food sovereignty and resurgence of the canoe culture and annual canoe journey. Some of our leaders, commissioner Eudaly and mayor wheeler, also had an opportunity to ride on canoes and have that experience. What I want to share today is the impact of the summit goes far beyond just the city. We are taking bold steps to be a role model for other cities and municipalities just as we took that bold step in changing this day indigenous peoples day from columbus day. Our tribal relations program will not only assist in creating positive government to government relationships but will also impact the wellness and prosperity of the native people that live, work and play in the city of Portland. I wanted to also share that Multnomah county will be having their proclamation presentation tomorrow at I believe 10:00 a.m., and metro will have their proclamation tomorrow at 2:00 p.m. At this time I would like to introduce Jolene Joseph, community member and very respected leader, to speak.

Wheeler: Thank you. Good morning.

Jolene Joseph: Good morning. Mayor, commissioners, my name is Jolene Joseph I'm the executive director of national nonprofit organization based here in Portland called the native wellness institute and I'm an enrolled member of the A'aninin or white clay people as we call ourselves. So in my language women say Naneyha that's our greeting and the men say Wahey and in sign language we say this for good morning. If you want to join me. This is good. This is morning. This is the sun rising. Good morning. So I give an example because there's always more than one way to do things, so I just said in my language how you say good morning. I showed you in traditional sign language how to say good morning and that's related to why we're here this morning, changing columbus day to indigenous peoples day. In schools we learn a lot of misinformation about columbus and we learned that he was this great man and what he represents to our people is the beginning of genocide. This day is about our people being seen and our people finding our voice and using it, and I give honor to the original people of the land that I'm on today but I also give honor to our people that paved the way for Laura and I to be here and to the other people to be in this room that also found their voice and used it in a way for us to be seen. So when we know better we can do better and when we look around in this room, we have descendants of colonizers here, we have miracle survivors of genocide in this room, we have descendants of people that were slaved or sold and enslaved, we have descendants of those in this room and here we are working together to make our world more just and more equitable for everyone. That's what this day is about and as we go forward this is also an act of decolonization. Before we can fully understand decolonization we have to understand the impacts of colonization and the tribal leader summit that happened and these other efforts that are happening are helping us all to understand the impacts of colonization so we can move forward with these acts of decolonization. I just thank each of you for your commitment to helping our people, the indigenous people, of this city to be visible and not to be erased any more. I could go on and on and on, but I just want to say that and share our gratitude. Thank you.

Wheeler: Thank you for being here.

John: I want to also thank all of you for your leadership and your commitment not only to this proclamation today and some of you that serve on city council were there when the resolution was passed in 2015. Some of you were also there when the resolution was

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passed that led to the creation of my position in 2012. I do want to express my gratitude for your commitment towards building meaningful relationships that will benefit many generations to come. We're all working together as Jolene said to reverse the erasure and exclusion of tribal nations and tribal people. Today is on this coming Monday will be another example of that work. I look forward to working with the city to expand tribal relations and also to expand our relationships and elevate the voice of our native community in Portland to make our city a more welcoming city for indigenous people.

Thank you.

Wheeler: Thank you. Laura do you have other guest or should I read the proclamation?

John: No other guests.

Wheeler: Before I read the proclamation I want to acknowledge -- commissioner eudaly did you have a comment?

Eudaly: I could make a comment.

Wheeler: Please.

Eudaly: Thank you.

Wheeler: And then commissioner Fritz.

Eudaly: I want to thank mayor wheeler for making the proclamation, for one thing and also to our director of tribal relations Laura john for her vital work. Laura recently accompanied me to Pendleton where I was honored to be the guest of the confederated tribes of the Umatilla Indian reservations and as she mentioned we also recently, we also last week, Friday, had the first annual tribal nation summit in Portland thanks to Laura's efforts and I think all of these efforts are vital because we know that native americans are disproportionately -- they are marginalized and disadvantaged and we talk about negative outcomes in our city they are often experiencing the worst outcomes. While this is a celebratory day and I don't want to bring the mood down too much, I do want to take this opportunity to raise awareness about the missing and murdered indigenous women movement. I want to encourage every Portlander to observe and celebrate this day however they see fit but I urge everyone to contact our senators, senator Merkley and senator Wyden to express support of savanna's act which is legislation introduced in the u.s. congress to combat the epidemic of violence against indigenous women. Thank you.

Wheeler: Thank you, commissioner Eudaly. Commissioner Fritz.

Fritz: I was going to start saying honored guests then I remembered it's I who am a guest in your country and so thank you for honoring us with your presence. Thank you for your beautiful words as a descendant of colonist I recognize it's part of my responsibility to try to make reparations for the evil done in generations past. Director john, I'm very happy you're helping guide the city council and indeed the entire city in what we need to do to make those actual changes. Commissioner Fish, commissioner Saltzman will remember when we passed the resolution changing from the previous name to indigenous peoples day people we got a load of people saying this is just you know flim flam window dressing, not really going to do anything, typical liberal Portland. My colleagues will also remember that we had to fight really hard to keep funding for the position in the budget and to make sure it found home in the office of government relations. Now we're starting to see the fruits of the changes that have been going since 2011-2012, and I'm very happy that we are as in the previous conversation which again thank you for sitting through, some very challenging issues and yet when people do talk to each other, work together, we can find some solutions and we have to find solutions. So thank you so much for being here and thank you, mayor wheeler, for introducing the resolution and continuing to support tribal relations director Laura john for the work that she does.

Wheeler: Very good and I will just put in my plug for our summit, I thought it was fantastic and Laura did an amazing job. Commissioner Eudaly and I had the privilege of being brought ashore in canoes and we were given the opportunity to be pullers. For me it was

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just an impressive and beautiful experience to be part of that. It's a deeply spiritual experience for the tribes that are actually in the canoe, they are praying as they pull and I felt very privileged that I was invited to be part of that and participate in that. We had a wonderful welcoming ceremony, Laura brought us the sun, which we are very appreciative of. [laughter] the lunch was fantastic. It was a first foods lunch, and there were some educational opportunities, a few really phenomenal speakers. Stealing the show, of course, were a group of children, young women, who honored us with a prayer dance and later in the day at the closing ceremony also the swan dance, which was a lot of fun. Perhaps for me the most meaningful part of the day was the one on one opportunity with our tribal leaders to talk about where we go from here. It's great that we think we're the first city in the united states to establish a permanent tribal summit day and we want to build on that and there was a lot of positive energy in the room and a lot of enthusiasms where this could lead and how can could lead to enhanced and further develop relationships with the individual tribes. So it was really a great experience. Laura, I want to embarrass you again in public because you're here, for the hard work that you put into that. Really was a marvelous day and I heard back from all of our employees that had a chance to go to a couple of the workshops and our employees benefited tremendously. So it was a good shared learning experience all around. It's my honor to read this statement of values from the Portland city council. It's a proclamation, unfortunately it's in 4-point type, so let's see if I can muddle by way through it and do it the justice that it deserves. Whereas the city of Portland recognizes that the indigenous people of the lands that would later become known as the americas have occupied these lands since time immemorial; And whereas the city recognizes the fact that Portland is built upon the homelands and villages and traditional use areas of the Multnomah, Wasco, Cowlitz, Kalumet, Clackamas, band of chinook, Tualatin, Kalapuya, Molalla and many other tribes who made their homes along the Columbia and Willamette rivers without whom the building of the city would not be possible; And whereas the indigenous people hand down oral histories, science, governance, a distinct relationship with water, land, rocks, native plants, birds, fish and animals an invaluable cultural knowledge and rich traditions that continue to thrive in Portland; And whereas indigenous people who have been here since time immemorial continue to contribute immeasurably to our country, state and city's heritage distinguishing themselves as scholars, veterans, teachers, athletes, artists, entrepreneurs and leaders; And whereas the indigenous population of the Portland metro area is over 70,000 people who are members of or descended from more than 380 tribes from across the nation who have a unique political status and relationship with the united states of America; And whereas the city of Portland has a responsibility to oppose the systematic racism towards indigenous peoples of the united states which perpetrates high rates of poverty and income inequality, exacerbating disproportionate health, education and social crises; And whereas the city promotes the closing of the equity gap for indigenous peoples through policies, practices and investments that reflect the experiences of indigenous peoples ensuring greater access and opportunity and honoring our nation's indigenous history and contributions; And whereas the city of Portland continues to promote the prosperity and well-being of the american Indian, Alaska native and indigenous community; And whereas on October 7, 2015, Portland city council passed a resolution resolving that the city of Portland shall recognize indigenous peoples day on the second Monday of October. Now therefore i, ted wheeler, mayor of the city of Portland, Oregon, the city of roses, do hereby proclaim October 8, 2018, to be indigenous peoples day in Portland and encourage all residences, businesses and organizations and public institutions to observe this day by reflecting on the ongoing struggles of indigenous peoples on this land and to celebrate the thriving culture and value that indigenous people add to our city. Thank you for being here. Could we get a photograph up here in the front?

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Fritz: I apologize for my phone going off in the middle of that. I think it's further on the alert system cause it's from Kentucky. I don't know anybody in Kentucky.

Wheeler: So we move those up I'm sorry, colleagues, I have to leave about noon. Read item 1036 is next.

Item 1036.

Wheeler: Colleagues we took testimony on this and heard the presentation last week but we didn't have sufficient quorum to take the vote on the emergency item, so we will be taking that vote. Is there any further discussion? Karla, please call the roll.

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

Wheeler: Aye. The ordinance is adopted. Next item, 1033, please.

Item 1033.

Wheeler: Colleagues, thank you and commissioner Saltzman in particular thank you for your leadership on the Portland children's levy over many, many years. I'm looking forward to assuming the role as commissioner in charge in the new year, 2019. Tough shoes to fill commissioner and it's important to maintain continuity of the office to deliver on these important programs to support positive early development, school engagement and academic achievement. High school graduation and family safety and stability. Commissioner Saltzman.

Saltzman: Thank you, mayor. Before us this morning is a very straightforward and relatively simple ordinance that creates the code language for a stand-alone office of the children's levy. It's an office completely funded by a voter approved levy that has been approved now four times by voters. Most recently passed four times for five years at an interval. Most recently passed in May of 2018 with 83% voter approval. For 15 years the Portland children's levy has had a track record of investing in proven programs that make a difference for children and their families and doing it with a low administrative cap of 5%. I am very proud of the work that the children's levy has accomplished since 2002 and I'm happy to know it will continue to provide critical services to children, parents, and care-givers in our community in years to come. I'm confident that the levy will be in good hands with mayor wheeler upon my departure, and I thank him for his support of this program. I also want to take this opportunity to thank the six staff that work for the Portland children's levy. Most of them have been here from the inception of the children's levy in 2002. They are by all accords subject matter experts in early childhood issues around foster care, hunger, after school programs, and running a lean organization. I want to thank them as well for all their hard work over the years. I'm very pleased we have Michael Cox here from the mayor's office and Matt Grumm from my office here to answer any questions.

Fish: Would you raise your hand, take the oath before you testify, please? [laughter]

Michael Cox, Mayor's Office: Mayor wheeler, commissioners. My name is Michael Cox, I'm chief of staff to mayor wheeler, I'm here today to accept in the coming year of course on the mayor's behalf responsibility for the office of the children's levy. Thank you for your leadership on this important program over the years. The mayor has directed me to work with your chief of staff, Matt, to ensure that the transition from your office to our office runs smoothly. Thank you.

Wheeler: Any further questions? Is there any public testimony? We lost Karla. There she is. The city grinds to a halt. Karla is missing. There any public testimony?

Moore-Love: I show two people.

Wheeler: Very good.

Moore-Love: Shedrick Wilkins.

Shedrick J Wilkins: I'm Shedrick Wilkins

Fish: Gentlemen we're about to lose the mayor and it will complicate our agenda. The question is whether it should migrate to the mayor's office. [laughter]

Wilkins: Is he kidding?

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Wheeler: No, he's not go ahead.

Eudaly: Actually we want relevant testimony.

Shedrick J Wilkins: Oh I always give relevant testimony. I support the office of the children's levy even though commissioner Saltzman has questioned the overhead staff of charitable organizations. So maybe I don't know what I'm talking about, but I support the office and I may not know what I'm going to talk about so I'm going to stop talking.

Charles Bridgecrane Johnson: Good morning commissioners, for the record Charles bridge crane johnson. As to relevant testimony, occasionally we have people who receive disability checks and are employed by centes, or through the job corps and I'm sure we have patience for their testimony regardless of the quorum here. As for the children's levy I hope that as we move to establish this office not only that huge amount of work that will continue to go into services to children and that to encourage that the children's levy is perpetually renewed we also be able to see concrete statistics that show how we are doing better in the city of Portland at getting positive outcomes for foster kids and children living in poverty so that we can constantly refine those expenditures and maybe challenging, with adults we know sometimes people who can't find services in rural Oregon end up coming into the urban area creating a different level of dependency, but I hope with this permanent office in addition to actually delivering and funding the services there will be a little bit of research and metrics that tell us how we can do more with the money to keep it coming and improve the lives of children. Thank you.

Wheeler: Thank you. Any further discussion? Please call the roll.

Eudaly: Aye.

Fritz: Thank you, commissioner Saltzman and thank you mayor for taking this on. Aye.

Fish: Aye.

Saltzman: Thank you, mayor. Aye.

Wheeler: Thank you, commissioner. Aye. The ordinance is adopted. Great testimony, you guys. You did a fantastic job. You knocked it out of the park. We have a bunch of second readings lets get through them. 1034, please.

Item 1034.

Wheeler: Please call the roll.

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

Wheeler: Aye. The ordinance is adopted. Next item, 1037.

Item 1037.

Wheeler: Please call the roll.

Eudaly: Aye.

Fritz: I just want people to know this is for employees to donate to good causes. Included on the list of those eligible are Salem Kaiser coalition for equity, Klamath lake cares, Silverton together, strengthening rural communities, community alliance of lane county and Salem Kaiser coalition for equity. This is another way in which city employees are helping people all over the state of Oregon. Aye.

Saltzman: No.

Fish: Aye.

Wheeler: I appreciated the amendment that was added last time I think this is really about giving our employees a platform for contributions but also giving them access to full information. I appreciated the amendment that adds the state filing that includes the overhead information along with other information to the final ordinance. I vote aye. The ordinance is adopted as amended. Next item, 1038.

Item 1038.

Wheeler: This is also a second reading. Please call the roll.

Eudaly: Aye.

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Fritz: I wasn't here last week. I did review the record. I want to say on the record that I'm assured that we don't need a public easement over the existing sidewalk and I hope that that does continue to be available for public access. Aye.

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

Wheeler: Aye. The ordinance is adopted. Colleagues, I have to go so commissioner Saltzman in his capacity as senate president will take up the last item on the agenda. Thank you commissioner.

Saltzman: That is 1035.

Item 1035.

Matt Gierach, Office of Management and Finance: Hello, commissioners. I'm matt Gierach, the new debt manager. For this ordinance this clarifies the allowable uses of bond proceeds for the Portland building and space optimization projects. Specifically this ordinance authorizes bond proceeds to be used for payment of bond interests during construction. This amendment will facilitate the city's ability to accelerate the long term bond financing of a significant portion of the projects. To date project costs have been financed with a construction line of credit which has increased in cost with the raising short term interest rates. Long term interest rates are currently low. Therefore executing a long term financing now will reduce risk of potentially higher future interest rates in the final costs of the projects. By funding a portion of construction period interest payments with bond proceeds the city can reduce interest rate risk now without impacting the timing of bureau contributions to the project.

Saltzman: Thank you.

******:** Nothing to add.

Saltzman: Any questions? Thank you very much. Is there anyone here that wishes to testify or did anyone sign up?

Moore-Love: Sorry, I left the signup sheet out there. Did mr. Bridge crane --

Charles Bridgecrane Johnson: Good morning. Good afternoon. Thank you for this. As Mr. Walsh has left noted the title of this is a tongue twister but I do think that hopefully as part of the annual reporting from the bond office we'll be able to get an after-action report to see how well we second guessed the market. It would be unfortunate if we paid interest in advance on reduced principal now and then later had a cost overrun and ended up grabbing some more expensive money at the back end plus the whole beauty of having a \$90,000 building remodel going on while thousands of people are living outside and we don't have any large funded homeless shelters, but this is about the financial precision to possibly pay down the principal with the principal so we don't pay interest or something like that. Thank you very much.

Saltzman: Thank you. Okay, this proceeds to second reading next week and we're adjourned until 2:00 p.m.

At 12:08 p.m. council recessed.

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Closed Caption File of Portland City Council Meeting

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Key: ***** means unidentified speaker.

October 3, 2018 2:00 PM

Wheeler: Good afternoon everybody this is the Wednesday, October 3, afternoon session of the Portland city council. Karla, please call the roll.

Eudaly: Here. **Fritz:** Here. **Fish:** **Saltzman:** Here.

Wheeler: Here, good afternoon Robert.

Robert Taylor, Chief Deputy City Attorney: Welcome to Portland city council. The city council represents all Portlanders and meets to do the city's business. Presiding officer preserves order and decorum during city council meetings so everyone can feel welcome, comfortable, respected and safe. To participate in council meetings you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may also sign up for public testimony on resolutions or first readings of ordinances. Your testimony should address the matter considered at the time. When testifying please state your name for the record. Your address is not necessary. Please disclose if you're a lobbyist. If you are represent an organization please identify it. The presiding officer determines length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left a yellow light goes on. When your time is done a red light goes on. If you are in the audience and would like to show support for something that is said, please feel free to do a thumbs up. If you want to express that you do not support something, please feel free to do thumbs down. Disruptive conduct such as shouting or interrupting testimony or council deliberations will not be allowed. If there are disruptions a warning will be given that further disruption may result in the person being ejected for the remainder of the meeting. After being ejected a person who fails to leave the meeting is subject to arrest for trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

Wheeler: Very good thank you, Karla we have one item on the agenda this afternoon. Could you please read it?

Item 1039.

Wheeler: Colleagues, on June 13 we passed resolution 37364 after hearing staff updates and public testimony on retrofitting unreinforced masonry for urm buildings. Among other things that resolution directed city staff to come back to the council within three months with an ordinance that does the following. First requires urm building to put placards at the entrance of the building that says, "this is an unreinforced masonry building. Unreinforced masonry buildings may be unsafe in the event of a major earthquake". Number 2, requires urm building owners to include the following language in their rental agreements. "This building which you are renting or leasing is an unreinforced masonry building. Unreinforced masonry buildings have proven unsafe in the event of an earthquake". Number 3, strengthens triggers for seismic retrofitting of urm buildings in the existing code. I will turn this over to commissioner Saltzman, commissioner Saltzman.

Saltzman: Thank you, mayor. Earthquakes are our most likely disaster here in Portland. It's the event we train the most for. Over the last five, ten years the city has developed information on unreinforced masonry buildings. These are the buildings most likely to collapse in a serious earthquake. So we have a database of some 1600 buildings of

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unreinforced masonry buildings in the city of Portland. For transparency's sake, it is our obligation to provide Portlanders this information and to respect their ability to make informed decisions and also to be aware of their surroundings. I also think of this as really an obligation to today's ten-year-olds. The generation that really has not been at the table at all during this debate. Today's ten-year-olds are the ones that will be living in unreinforced masonry buildings over the next 20 years until mandatory seismic retrofit standards kick in. So their going to be they with a lot of older adults will be most at risk in the next 20 years. Giving Portlanders the placards I believe helps build awareness of seismic risk, about what to do if you're in an unreinforced masonry building, which is to duck and cover, not to get out, and it also builds market demand for seismic improvements to these buildings. It was great that in June the council unanimously directed staff to come up with a proposal to highlight unreinforced masonry buildings in Portland through placards and tenant notification. The mayor just read the language, this is what a placard would look like in real size and real font. This conversation has continued with many of you in the room and with others, and I think more and more people, Portlanders, are becoming aware of the risk of unreinforced masonry buildings and understand regulatory actions are taking place and will continue to take place until these buildings are made safe. I do want to recognize some of the adjustments and things we have learned since that June hearing and most importantly, recognize the impact placards could have on religious institutions in Portland. Throughout Portland's history, white men have led this city and imposed their priorities and mandates on the population of our city and this has often come to the detriment of minority communities and especially our black community. We must recognize this and apologize for those past actions. We are sorry and part of that recognition is extending the timeline for the placard requirement for unreinforced masonry churches and nonprofits to two years so that those communities and entities have the time to discuss the issue and to better understand the danger imposed by unreinforced masonry buildings, and how they may work together to make sure their parishioners or their attendees at their nonprofit institution are more aware of their surroundings and can work together to make those buildings safer. Another adjustment was recognizing that the city really needs to walk the talk here and model good behavior, and that is under this ordinance the city is the first out of the gate with the placards. So therefore, we have moved the timeline up for public buildings to just two months, January 1st, 2019, city buildings will have the placards that need to be placed on public buildings by the beginning of next year. I'm sorry, they will be placed on public buildings by the beginning of next year and then the requirement for all other private buildings, private buildings is march 1, 2019 and as I said for churches and nonprofits its end of 2020. So I think beyond these points I know we'll hear many arguments about why this is a bad idea. We'll hear the age old Portland argument about not enough process and we'll hear about insurance rates and property values. We'll hear claims of endless demolitions and lost business and I'll be blunt here I don't buy it. We got four years of process and with all of you here, word is out that something is happening. The insurance companies and the appraisers already know if you're in an unreinforced masonry building and that is already loaded into their calculations. Customers are not going to stop shopping at their favorite store because of a placard. Concert goers are not going to cancel their tickets because of placards outside the entrance to their favorite venue. These things are not going to happen. What will happen is that people may start asking why your building has not been retrofitted to withstand an earthquake and to me that's a very fair question to ask. Thank you, mayor.

Wheeler: Thank you commissioner Saltzman. So we now have a staff presentation. Nancy Thorington, senior code and policy analyst from bds. I apologize, it's been a long day already and Amit Kumar, from bds, thank you for being here.

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Nancy Thorington, Bureau of Development Services: Thank you, Mr. Mayor, commissioners. Amit is going to be doing the bulk of the presentation. I'll let him start.

Amit Kumar, Bureau of Development Services: Good afternoon, Mr. Mayor, commissioners.

Wheeler: Good afternoon.

Kumar: My name is Amit Kumar and I'm a senior structural engineer with the bureau of development services. I'm joined by Nancy Thorington, senior code policy analyst of bds, and Jonna -- policy and community program manager.

Wheeler: Jonna Papaefthimiou planning policy and community program manager at pbem.

Wheeler: Jonna welcome I'm sorry I didn't acknowledge your presence. Thank you.

Jonna Papaefthimiou, Portland Bureau of Emergency Management: Thank you.

Kumar: I'm here today to provide an overview on the proposed ordinance requiring placarding and tenant notifications for unreinforced masonry buildings. As was mentioned before, in June 2018 the city council passed directed city staff to return to council within three months that would one require a placard on all urm buildings that have not been retrofitted to prevent collapse in the case of a major earthquake. Two, require all urm buildings to notify tenants or renters through renter agreements that the building is a unreinforced masonry building and three, strengthen existing triggers it title 24.85 by closing some existing loopholes in the title. The first requirement is placarding of urm buildings this ordinance would require placard that is a 8 inch by 10 inch and a durable placard letting in 50 point bold font and with the placard posted on a conspicuous exterior location at the main entrance with the following message. This building is an unreinforced masonry building. Unreinforced masonry buildings may be unsafe in the event of a major earthquake. The timeline for installing these placards, the original resolution required urm buildings to be posted by March 1, 2019. However, council felt the city should lead by example so the requirement for placarding of public buildings is January 1, 2019. In addition based on outreach through various constituents with understanding the unique nature provided by nonprofits including religious institutions it was felt that these class of buildings be afforded additional time to place placards. They will now be required to place the placards on or above November 1 of 2020. All other buildings would have to post placards by March 1 of 2019. The second component of the ordinance is tenant notification. This requirement would require building owners notify all existing tenants and every new lease or rental agreement entered into or renewed must contain the statement that this building is an unreinforced masonry building unreinforced masonry buildings may be unsafe in the event of a major earthquake. The timeline for notification into new lease or rental agreements same as that for placarding we just talked about earlier.

Wheeler: Can I ask you a question? Because I want to make sure -- I believe I have read a slight inconsistency here and I want to make sure I have this exactly right. This is the language that must be in the notification for existing tenants, the language right here, just to be clear. Is that accurate?

Kumar: Yes.

Wheeler: Thank you.

Thorington: I want to make sure that you did understand that. So there's two categories. If it's an existing tenant we're not requiring that they modify their leases but they do have to inform the existing tenants.

Wheeler: There's just been different language going around in recent days and weeks and I want to make sure we have all agreed this is the language we settled on. Very good. Thank you.

Kumar: In addition owners would be required to record an agreement with the county that they would maintain the placard and not remove it unless authorized by the city and also an acknowledgment that they are complied with the tenant notifications we discussed

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previously. Not all urm buildings will require the placard or tenant notification. The resolution requires building that have been fully retrofitted to prevent collapse in a major earthquake will not require placards. The ordinance defines what is meant by major earthquake and what collapse prevention means by specifying the nationally recognized standards the retrofit need to meet. Essentially any urm that underwent a full seismic upgrade in the past with standards in effect at that time, which is since 1995, have been grandfathered in and will not require a placard or tenant notification. Bds is going to implement this plan. We are going to require urm property owners will be notified of the December 31, 2018 of the requirements for placarding and tenant notification including any information on how to comply with the requirements and enforcement process. Bds will host a website where urm owners can upload and record the agreement and pictures of the placard on the building. There's an appeals process in the ordinance where owners may appeal the notice and placarding requirements if they believe the building was incorrectly classified as a urm, or has been retrofitted to meet the standards to be exempt from placarding. Placarding and tenant notification will not be enforced until this appeal has been resolved. As far as enforcement is concerned Portland fire and rescue will inspect the placement of placards as part of the regular commercial building inspection program and will work with bds code enforcement in applying the requirements for placards and bds will use its existing code enforcement program authority to enforce the requirements of placarding and tenant notification. Lastly, the third requirement in the ordinance is the strengthening of existing triggers for seismic upgrades and cost triggers and we're trying to close a few loopholes to strengthen these requirements in 2485. That's a quick overview of what the proposed ordinance is and I'll be happy to answer any questions you may have thank you.

Wheeler: Commissioner Eudaly.

Eudaly: Could you go back over the appeals slide? I just wanted to take note of this because we have heard from a number of urm building owners who feel their buildings don't belong on the list that currently exists. This is something that's come up in conversation in my office if there are grades or ratings for urms that have achieved some level of seismic upgrade, maybe not the full level, so I just wanted to make sure there's clarity on how this appeal would work.

Kumar: Right. So the building owners feel first of all the building is not a urm, so there's been some question about that. So the owners are welcome to submit an appeal that bds would review. They would submit an appeal with any substantiating evidence that they have like building plans or they have done some inspections or an engineer has gone out and looked at it. Bds will review it. If we agree that it is not a urm their building will be taken out. If information is needed they will ask for it. If we then decide it's still considered a urm, then we would deny that appeal. Once that's denied the building owner still has the ability to appeal to the administrative appeals board at bds with their evidence and if that's still not adequate they can go to a building codes appeal, which is an independent body that hears court appeals. They have a three-step appeal process available.

Eudaly: Thank you.

Wheeler: I may have questions later. I frankly want to hear some of the public testimony and I'll probably have more questions. Thank you. Did you have more to present?

Thorington: You know, if you want to know outreach or enforcement I'm happy to talk about that. Otherwise if you have questions that's fine too.

Wheeler: I have a few. Placarding is currently required in the state of California. What do they do in terms of enforcement there, and what do we know about has it increased the rate of seismic improvement or demolition? What can we learn if anything at this point from the California experience?

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Jonna Papaefthimiou, Portland Bureau of Emergency Management: So California's required placarding since the 1980s but didn't have a strong enforcement mechanism until the state law changed in 2004 where it was possible for individuals to take action to require the placarding. Some local jurisdictions have done that but there's not a statewide enforcement mechanism there are cities in California that do enforce and anecdotally you can quote city managers that have said they feel it's helpful in terms of informing the public. So like in Portland it's a land use matter so it really goes city by city.

Wheeler: Some people have told me they have a legitimate concern that they would lose customers and potentially lose revenue. What do we know from the California experience or anywhere else about the impact on revenues for customers or entry into buildings based on placarding?

Papaefthimiou: I have searched everywhere to find a study that would prove or disprove that. I have seen anecdotal statements that it has not reduced business. I haven't seen any studies or assertions that people have lost customers or lost tenants because of the placarding.

Wheeler: I think it would be helpful for us if we rolled this out to and that's been my experience as well. Frankly it's been very, very difficult to get credible -- there's nothing in the way of peer reviewed studies or academic studies or anything else and therefore I think there's an opportunity here for us to take a lead on that. I have heard from a number of people who are very concerned they might lose their insurance or see their insurance rates go up due to placarding. Have you spoken with insurers on this particular issue?

Papaefthimiou: We have and the city obviously carries insurance and we own 42 unreinforced masonry buildings ourselves so we consulted with city risk and they asked our insurance broker to check with insurance company. I believe that they submitted a letter to record which I don't have in front of me, but their feed back was that they did not anticipate property insurance going up due to the placarding and that's primarily because the building construction method is something that insurance companies already consider when they issue the policy. The insurance company would not find out it's a urm because of the placard.

Wheeler: If I could read this letter into the record I'd like to do it, its from willis towers watson. Thank you for the opportunity to discuss this. The underwriters I spoke with were both small accounts, single building property owners and large accounts like the city of Portland. We have never heard of an insurance company canceling, nonrenewing or declining to offer favorable insurance terms and pricing to an insured due to a placard. It's our opinion that having placarding requirements will have neither a negative or positive impact on the insurability or pricing of one's insurance. From an underwriting perspective the risk profile does not change by placarding and notifying the public. The reason I ask is there may be other academic sources out there. Again, I could not find one and I called lots of people and burned out google on that. [laughter] how do you get rid of the placarding? If I'm a building owner and I have the placard what's it going to take to get rid of my placard assuming I don't want it.

Kumar: The way to get rid of the placard is to retrofit the building and we have specified standards that need to be retrofitted to which is based on the american society of civil engineers that define what collapse prevention means and what retrofits you need to do to prevent collapse in a building. So those buildings that have only been retrofitted since 1995 to those standards those are grandfathered in and they will not require a placard, but going forward any building that is retrofitted to the standards specified in the ordinance you could then take the placard down.

Wheeler: There have been some questions that have been raised and undoubtedly we'll hear testimony from people about the accuracy of the urm list. Could you tell us a little bit about how is that list compiled and what are we going to do going forward to ensure the

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accuracy of that list? You mentioned the appeal process and that's great but what are we doing proactively as the stewards of that list?

Kumar: So thank you for that question because I know there have been some concerns raised about the accuracy of the database. I would like to clarify how this database was created. There seems to be misconceptions about it and that it was based on a survey thus implying that the level of casualness and therefore inaccuracy associated with a casual approach. When the database was created on a survey of buildings in 1990 over three summers from 1993 to 1995 city undertook the task of creating a database of all commercial buildings in the city of Portland. Trained city staff in collaboration with Portland visited all commercial buildings quarter section by quarter section, block by block and using procedures developed by the American Technology Council for visual examination identified different building types including construction type, users, number of stories, plan areas, observed deficiencies, et cetera. This survey was coupled with research of existing building records, history, maps and that's what was used to create a database of all commercial buildings in the city of Portland and from that we extracted all the buildings identified as URM buildings. Since 2014 when the direction of city council to look at the hazards posed by URM buildings, the first task BDCS undertook was to verify and update this URM database. This review was done by a BDCS structural engineer, verification including using available technology like map works, Google Maps, street view, reviewing performance records, surveying building owners and visits when necessarily and based on this review we removed buildings from the database that were demolished or falsely identified as URMs, there were five buildings that were seismically upgraded and levels of upgrades done to these buildings. In all we reviewed over 2,084 buildings and removed 131 buildings that were originally identified as URMs, misidentified as URMs. We are fairly confident about the database but cannot guarantee every single building in the database is accurate. In some cases a building data is not available the only sure way to tell if a building is a URM building is by doing some destructive testing. So that's why we have that appeals process that we talked about. We continue to update database as more information is available but given all the information that we have we feel our database is fairly accurate.

Wheeler: One final question with regard to the database list. If I'm a building owner, and I'm not, I wish I was, but if I have a building and I am fairly sure that you have inaccurately included my building on your list of unreinforced masonry buildings, did I hear you correctly when you said if I appeal this, I do not have to placard until my appeal is resolved? Is that correct?

Kumar: That's correct. We will look at all the appeals that are there and until it's resolved we would not enforce your placarding and tenant notification requirements.

Wheeler: What is the process or the penalty associated with not complying?

Thorington: Well, so the process basically will be that the fire marshal's office will go out to do the regular inspections. Then if it's a URM, and there's no placard there, then their process is basically they give you notice and 40 days and then come back and reinspect after 40 days. If it still doesn't comply, then they will issue a reinspection fee and turn it over to BDCS then our process would kick in with our enforcement group and they would be given a letter and another 30 days to comply. Then so nothing would happen for at least 70 days.

Wheeler: Could I just ask a question? If this is a stupid question I guess it would be in character with most of my questions. First of all sounds like you don't have a placard police. You're not going out and looking -- in conjunction with a regular fire life safety inspection. Why don't we just take extra placards with us? We're not talking about an expensive item. Why don't we just take them with us and if somebody doesn't have a placard and they need one, the inspector can hand them the placard and they can attach it

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as opposed to sending them letters and follow-through and reinspections and everything else? Why don't we try to make this easy?

Papaefthimiou: Berkeley mail self-sticks signs to all urm building owners. I think it's totally feasible.

Wheeler: Great. Thank you. Those are all my questions for right now. I might have more after testimony. Anyone else? Commissioner Fritz.

Fritz: I have an amendment request and this actually speaks to pastor hennesse's letter asking for an education program that the nonprofits can tap into. My amendment would say under the now therefore council directs after a, amending the code of chapter 24.85, I would add a b. For city owned reinforced masonry building bureau of emergency management staff will work in collaboration with the ada, title 2 and civil rights title 6 language access program staff in the office of equity and human rights to develop materials that provide reasonable and meaningful access to safety information for building occupants and visitors.

Eudaly: Second.

Wheeler: Commissioner Fritz moves her amendment, commissioner Eudaly second's the amendment, that's on the table now and open for discussion.

Fritz: If I might speak to it, the idea is I think that placarding point is to let people know about this. For city owned buildings we have community centers, we have water bureau buildings and others that we can give people the pamphlets saying this is what the sign meant, this is what you should do where ever you are in an earthquake. This is what this is all about. So it seems to me it is on the city to develop that in appropriate language leading braille and that we would make this available and am hoping we could make it available to community property owners as well as to city staff.

Wheeler: Very good. Thank you. We'll have you back up at the end but thank you for your presentation. I'm sorry, we have an invited guest, chief Myers is here. Thank you.

Mike Myers, Fire Chief, Portland Fire and Rescue: Good afternoon, mayor and commissioners. I didn't prepare any comments today. Wanted to make sure I was present in case you had questions regarding the enforcement. I wanted to make sure I had an opportunity to be here for you. So if there are any questions for me I would be willing to entertain those.

Wheeler: Not at the moment but thank you. Obviously, in the last presentation you supported this. I assume your opinion has not changed.

Myers: It has not changed. Clarify if I need to but I would be remiss in my duty if we didn't announce our concern for unreinforced masonry buildings and is my priority as a city to provide a safe place to live, work and play.

Wheeler: Thank you sir, how many people do we have signed up, Karla?

Moore-Love: 22.

Wheeler: The microphones slide around. We find about six inches is the right distance. If you get to close they wig out. When you have 30 seconds left you'll see a yellow light. When your time is up the red light goes on. As my colleagues know, I hate playing microphone cop, so please when your time is expired please stop because there's lots and lots of people who would like to testify as well.

Moore-Love: The first three please come on up.

Wheeler: Welcome.

Reverend Ed Mondaine Jr: Good morning. Good afternoon.

Wheeler: Good afternoon.

Mondaine Jr: It's good to see you. Thank you for your response to my letter, commissioner Fritz and I hope that you read it. When I listen my mind goes to since it's not a real big problem why are we here? It frightens me for our community being that we have been displaced so many times, and not invited. There's two things for sure you can count

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on about the african-american community and community policy and public policy usually, is that we are the first affected and the last informed. The disparities of this entire mandate is troublesome. I have outlined those reasons in a letter to you, and my only thought now is this. It's difficult for me as a pastor to receive grace in a sense that my constituents and my parishioners and those that I serve in our community are not receiving. It's imperative that we understand the lessons that we learned about the power of non-inclusion, and it is also extremely important to me that our community understands that it has a voice. There are many people who will speak today and repeat much of the information that I could spew right now, but for me and my colleagues at the at naacp, my hope would be that our resolve would be as simple as starting the entire process again and asking those concerned in our communities to be able to raise their voices together and the education module that pastor hennessee has prescribed altogether and rise up together. My last thought is that when you start from the bottom, everybody rises. Thank you for having us today and I'm excited to hear the rest of the testimony and I'm glad to be here.

Wheeler: Thank you, pastor Mondaine. We appreciate your presence.

Reverend Roy Tate: Good afternoon. Roy Tate, Christ Memorial Church. I appreciate the opportunity to come before the council to speak and our voices heard regarding this major issue. We consider it a major issue, we do not take it lightly. Number one I want to make sure that we understand safety is our number one priority with us as well. Safety has always been. We have preach it every Sunday, preach it every week about safety and that's number one thing. That being said, the concern is again the effects that it would have on the churches, mom and pop shops, small businesses, individuals and persons in that particular area. There's still a major concern, Mayor and I think you did bring it up, that we're not clear about how do they go about getting this list. Again, at one time I saw the list and then the next time I see the list some names are not on there some are on there. It seems like it's not clear how this is happening and people are wondering. I don't agree with you, Commissioner Saltzman, that putting a placard on our church, putting it on, it will affect, it has an effect on our parishioners. It has an effect because they would be wondering why is this happening? What's going on? What does this mean? It makes them feel uncomfortable. It makes them feel like do I really need to be here or should I go somewhere else? That's what we get, that's what we're going to hear. That's what we have heard. Out of all of this, I understand there's no -- haven't heard anything at all regarding dollars or monies that could be provided to help perhaps maybe not at the city level but perhaps maybe at the state level or maybe the federal level but we haven't heard anything about that we're going to try to help, especially churches, religious organizations, mom and pop who cannot afford to even do this type of work to their buildings. Number 2 if we even did the work to the building it's not going to make the building more classier, it's not going to make the building even better as far as the cost of our property. It's not going to make it go up. We do not have any tax credits we can use. We rely on members of our congregation to give to help keep the church going. So at the same time we do appreciate the extending of the time that the religious organizations have for the placard, but we still are concerned very much about having to put this on your buildings at this time. Thank you so much for hearing us today.

Wheeler: Thank you, pastor Tate. I appreciate it, good afternoon.

Reverend JW Matt Hennessee: Good afternoon, Mr. Mayor and to the members of the city commission. It's great to be here. For the record my name is JW Matt Hennessee, the pastor of Vancouver Avenue First Baptist Church. In addition to these wonderful pastors we have Bishop Tate and Bishop Irving who are also with us today. I would just like to borrow from some of the comments that I made in the note that you have before you. One, we do really recognize that in every major policy issue we deal with in the city of Portland particularly as it relates to almost anything quite frankly, there is concern always for a

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continued area of disparity. So therefore we echo the comments that pastor Mondaine and the naacp have made and I would like to ask just that when we finish the williams avenue work we said here again was one of those issues, and we want to make sure that we do everything we cannot to repeat leaving people out of the process, so we would ask you to keep that in mind. Secondly we recognize it's important to be constructive. We are where we are right now and we want to thank you, mr. Mayor, commissioner Saltzman, you, commissioner Fritz and you, commissioner Eudaly and certainly in his absence commissioner Fish for hearing from us and having your staffs work with us as we sort through this process. Again, not just concerned about african-american churches but all churches and all nonprofits as well. So therefore are some things that are important to us as we support the recommendation being made today and that is the educational process because we do need people to really understand. Secondly, I thank you for the updated list. We have that now. Number 3, the range issue of what buildings can withstand, the technical team that will be deployed so that we can work with them along with the facilitator and also work with us and several nonprofits about the possibility of us being shelters. Then work together on the funding mechanisms engaging as many options as possible. We don't know any of us what happens 20 years from now, but what we do know is we have a serious issue on our hands and we stand ready to work with you to help make this process work. Finally first of all I'm grateful for our new fire chief, I have not met him before but I realize he and I go to the same barber and it's always good to see people that look that good to see people like me around around. We're grateful for Elizabeth, for matt, for Jonna and for Nancy and Amit and many others that we probably don't know who have been working on this and we look forward to working together with you on it. I'm one who likes to stay to the end, this is Wednesday, bible study day, so I know that I can't stay the whole time but there are others who do bible study on other days. Wednesday is my day.

Wheeler: Thank you, gentlemen. Thank you. Good afternoon.

Angie Even: Hi. Thank you, mayor wheeler, and commissioners. Thank you mayor and commissioners my name is Angie Even. I'm here to ask you to change course and invest in a meaningful city-wide education and awareness campaign, to follow the policy committee's recommendations, to not stigmatize people's homes, small businesses, churches and schools. Through four years of committee work, countless publications and fema we know that urms are just one of three classifications of building types in Portland that are more vulnerable to earthquakes. Also, soil and liquefaction equalizes all structures. New buildings, sky rises, houses, bridges, fuel tanks built in liquefaction zones all heed equal warning. What about the burnside bridge? In ten plus years and \$500 million it may be upgraded yet Saturday market and homeless programs take place under the bridge and there's no evidence that the city has concern to warn. To placard one building type is the equivalent to spot zoning. It's a false narrative designed to deter business, patrons, tenants and buyers while creating insurance and finance road blocks. On June 13th commissioner Saltzman stated that Portland was copying the san francisco ordinance and therefore concerns would be unfounded. I called san francisco and I have an email from the building code manager. San francisco does not have or has never had a placard or disclosure ordinance to unfairly tag in code buildings as unsafe. Have you considered -- oh, wait. At a time when the city expects us to raise funds to retrofit why would you put policies in place to discourage renters, devalue buildings and harm small businesses? Have you considered that these policies will act as a waiver? That instead of protecting people more you will protect them less through insurance companies denying claims. So since we're inventing our own wheel and no one has been notified, I urge you to slow down, pause, answer our concerns, include us in the conversation and do things with us instead of to us. I urge you to charge the new work groups with this discussion to apply

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equal due diligence for all buildings and to recognize that minorities also own for profit buildings. Thank you.

Wheeler: Thank you.

Walt McMonies: Hi, Walt McMonies, 601 southwest 2nd avenue suit 2100 Portland I'm here representing myself as an owner of three designated urm buildings and also the masonry building owners of Oregon which is a group of building owners that have been involved in the process over the last four years. I did something strange to my chair, so I'm even shorter than usual. I think I'll stand up. [laughter] policy committee -- I was on a policy committee.

Wheeler: Walt I think it's fixed now.

McMonies: Whoa. My policy committee service makes me feel concerned that the statements have been made that policy committee came down in favor of negative placarding and I don't think they spent a ton of time on placarding, but basically perceived to be an onerous thing we didn't want to use on anybody that wasn't a scofflaw, so we certainly didn't propose front in, prioritive, punitive or negative placarding. As for san francisco's program, I did google searches and saw that they have a soft story program and the notification they are using on the soft story program is very different from the one being proposed for Portland. It seems to me its less pejorative, less accusatory, just as you're in violation, this property is in violation of such and such city ordinance, it doesn't say the building is going to fall down and kill you. I do think placarding elicits an immediate and very negative response from tenants. Hepacetic who owns the building across from one of my buildings discovered there was an article in the northwest examiner about this whole situation and it showed a picture of the building with a banner that said this is an unsafe building and a unbelievable number of tenants called, a high percentage within the building. It's something that elicits a scare response among people and that's what I liked about the san francisco placarding ordinance it gave a number to call for further information whereas when we are using doesn't do anything other than say, you're proposing to use doesn't do anything other than saying it's a dangerous building. On to some things I didn't cover in my written testimony which I sent in, the urm list I misquoted as denigrating what bds did. I don't feel that way at all, I think they did a very good job of getting a raw number of what were the probable likely urm's in the city of Portland, but this all is derived from fema publication 15554 and it is fairly clear that that's not to pick on individual buildings. You need to do invasive testing to find out if the building is really a urm. The upgraded standard of life safety is what you're stuck with if you have a placarded building, but if you don't have a placarded building going in you only have to comply with proposal with collapse risk reduction. That's pretty much what I wanted to say, thanks so much.

Wheeler: Thank you, sir appreciate it. Good afternoon.

Pippa Arend: Hello, my name is Pippa Arend. My goal is to encourage you to not to placard my home, my building. Why? I need a chance to succeed. Going on this idea of san francisco placarding, they placard only after noncompliance, not preemptively. So they give the buildings a chance to succeed and I need a chance to succeed. This list as you know was only published in 2016 and I have never received one single outreach from the city of Portland only through other building owners. So most building owners still don't know and these building owners need a chance to succeed before you preemptively do more punitive damage to their buildings, to their businesses. We also know as Angie was saying there's other buildings as per the website that are equally as dangerous and so we know that targeting only a few is strategically nonsensical, illogical and punitive. Also we know that liquefaction matters sometimes more than structure and we can look at things like tsunami zones at the coast where they don't put a tsunami warning on a building, they put it on the area. That would make sense here. It's an earthquake liquefaction zone area

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warning as opposed to the specific building cause it may not matter what it's made out of. I personally want to succeed. As some of you know I did a refi about two years ago to do some of the retrofits to do roof to walls. I immediately stopped when I heard about this mandate because I saw that I was potentially being fiscally overrun, that my building was potentially being totaled with the potential mandate still out there. It's been -- when I saw the Indonesian earthquake this last weekend I was mortified and really scared and frustrated with the city that I had to stop the retrofit actions that I was taking because of the potential fiscal nightmare that this potential mandate and placarding which is on top of this adds to my personal situation. I want to live in a city where small building owners and local housing owners such as myself are encouraged and supported as we provide the historically low cost shelter for families and creatives and startups and I can succeed with your help and what that looks like is simply incentivizing the current code and don't punitively placard my building or other people's. We know these placards are not about safety otherwise you would simply placard the high risk zones and other buildings that are also equally as dangerous. We know these placards are not about choice or else you would open enrollment for schools when you placard those on January 1st. You say this has been a long process, commissioner Saltzman, but I haven't been included in that and a lot of people also haven't. So, if you want to move forward with placards which I think are nonsensical, please put them in the committee.

Wheeler: Thank you.

Moore-Love: The next three.

Wheeler: Welcome, thanks for being here. Jim you want to start?

Jim Brunberg: In this order?

Wheeler: I tend to go the same direction that way I don't lose track.

Brunberg: Thank you for hearing us and from hearing from the public. Dan, I know, Mr. Saltzman, I'm not sure how to address you. I appreciate the work you have done for public safety and that it's frustrating and I know that you are frustrated that this is a seemingly long process, but as many people are going to attest to today, due process is key. I'll read my letter. These buildings are the heart of Portland or a big part of it and it's what makes us great. The heart in there is nonprofits, many of the people in the faith community, that I'm proud to be sitting with here today. They are music venues, these are the places where stories of Portland come from and that make Portland great. Many of them and despite what the developers and their interests will tell you, the diminished value to these buildings that will result from placarding is very real and I have talked to a lot of people about it, done my research. I actually don't own a urm, to my knowledge. I wouldn't know if I did because there's been no notice directly to building owners. I own revolution hall and Mississippi studios, which are both completely up to code, but some of my favorite places that I won't name are part of cause they may or may not be on the list are part of this. It's a very real thing, this diminish value and a placard that declares that the buildings unsafe will put a downward pressure on leases and rents as has already been pointed out and on the curb value, the curb appeal when people go to refinance the building the appraisal is based on curb appeal as I'm sure you know. This makes it harder for the real work that I know you all care about to be done. We all want the buildings to be safer. I want to see brick buildings be safer. I spoke with Patrick odelini, who was the head of the city resiliency planning commission for san francisco, which is a 30-year comprehensive plan for the entire city. As a small part of this program san francisco used some placarding here and there as incentive and in a few cases a threat to noncomplying businesses and noncomplying property owners, but here's what he said about placarding on its own. "It's a copout, just look at napa, they placarded only and then many of the buildings fell in the earthquake of 2014". So if placarding is to happen at all it's only effective if its part of a comprehensive program that takes time and process. New seismic rules, incentives,

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reasonable timelines, administrative assistance to help identify specialized loan products and other financial instruments is a way of rewarding the most responsible folk, not a way of punishing the most vulnerable ones. I know you're trying to do the right thing. I supported all five of you, nick in his absence I am very happy about our city council, but I know we can do better. Dan, I promise that your legacy of public safety, education and issues of human compassion stands tall without this particular footnote. Let's pull it together, lets make a plan for the big quake it is coming and we admit and most building owners want to do the right thing. Beneficial bank, I have 30 more seconds if I may. Is that my warning?

Wheeler: Make it fast.

Brunberg: I'm sorry, I'll be ten seconds. Beneficial bank wants to help, Umpqua bank wants to help, placarding a loan will cause lawsuits to the city. I'm not an owner, this is not a threat of lawsuit but I'm submitting a legal letter from professor Michael blum, who is a 40-year property law professor at lewis and clark college who has looked at all you guys are talking about and has determined there will be successful lawsuits against the city that will further embroil us in a quagmire that will keep the real work of safety from being done. I hate to end on that note, but thank you for the time.

Wheeler: Jim that's good testimony, if I could just give a slightly broader context to this, today we're here talking about placarding but I want to remind everybody how we got here. The reason we got here is we started with the more comprehensive strategy that mr. Odliny had suggested. We started with seismic requirements and we had a whole series of seismic requirements for different types of facilities, different uses, and that has been a tried and true methodology in cities all around the world. What we heard from people was too major themes. Number one, give us time. Give us time to be able to do that, to finance it, to figure out how we can afford to do that. So we extended the timelines significantly. I think we're out to 30 years now. The second thing we heard was give us financial help for those of us who can't do it, especially if we're a nonprofit, part of the faith community. Don't penalize us, team up with us and let's go down to Salem together and see if we can shake the tree and until we have sources of identified support for building owners, don't enforce. That was effectively the conversation. The compromise was we have to do something in the near term. We can't do nothing as the editorial said this morning, we have to start somewhere and we had many of us who are engaged, not everybody here obviously was engaged, but the placard started off being pretty strong in its language. Now it states what a lot of people think is just an obvious statement of fact. [speaking simultaneously] here's where I'm going with this. We're already talking about the compromise. We're here today taking testimony on what's already the compromise away from what other cities have done, which is simply say here's the standards and within x time period you're going to meet the standard or you're going to be out of code. So I just want to make sure that we have that broader context on the table here and that -- I feel like we're negotiating against ourselves here in some regards. Commissioner Fritz.

Fritz: Thanks mayor, I think the third thing that I heard in the hearings is dozens of tenants, both residential and commercial, saying I don't mind this is not reinforced building it's where I want to live. So I just don't find it persuasive that having the sign on the side of the building like you. I will name one cause parks owns it and that's keller auditorium. I went to a concert there last week and I thought to myself cause I know where those buildings are. This is an unreinforced building. Let's go see -- [audio not understandable]

Brunberg: I sit on the advisory panel for the p5 and they are having great difficulty refinancing capital improvements to the keller including retrofitting and this will their chances of retrofitting that building and the building may be raised and replaced or developed.

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Fritz: In that case the city is going to be right in it with everybody else, in fact as the pastors pointed out we're in a worse situation cause we can't get tax breaks either.

Brunberg: Thank you for your time.

Wheeler: Thank you Jim, we appreciate it. Good afternoon.

Meara McLaughlin: Hi, there. I'm Meara McLaughlin with music Portland and we represent the local music industry. Music Portland supports fair and rational efforts to make our city more seismically secure, appreciate that you have invested this much in the process. Particularly interested since 34, originally 38 because four of them have already closed, music venues are listed on the urm list. I could find none of them that said they had been even aware of the process. Most of them are lessees rather than owners so that may explain part of it, however the placarding rule under consideration today fails to improve safety, it fails to advance equity, it reduces community engagement and negatively impacts local business. The only thing placarding would do is to stigmatize select buildings without actually addressing safety, if in fact people will still go in, no problem. How does it improve safety?

Wheeler: Can I answer that?

McLaughlin: Yes.

Wheeler: we had a big discussion. It's about full information, it may not stop you from going in the building and I'll be the first to admit I go into buildings all the time that are unreinforced in part because I work in a lot of them, in part because I choose to of my own free will, but I also know the risk. If there's an earthquake, that informs my decision about how I want to react in that earthquake whether I want to duck and cover under the desk or whether I want to get the heck out of dodge or whether I want to leave the basement or come down from the roof. Its from my perspective it's added information.

McLaughlin: The sign doesn't give any of that information of what to do, it just says you're at risk.

Fritz: It says we're going to develop new materials as my amendment says and make them available to private property owners as well.

McLaughlin: Okay. Venues operate on very thin margins. It feels disingenuous to me that there will be no impact at all on the businesses. That doesn't feel like a fair statement because I believe it will. It will. If as council suggests there's no impact then why do it? You explained some of that. If it is to build public support as commissioner Fritz has suggested then why only do it on a select group of buildings? Let's see. Given the fact that these buildings would need up to level 5 reinforcements to get the placard removed, it disincentivizes the owners from actually doing the work once the placard is up. That seems nonsensical. The accommodation proposed for churches demonstrates the community gathering places merit special accommodation. Indeed live music venues are the secular churches of our community. Our popular music cultures a potent community building force unifying both new and long time residents of all colors, ages and economic stata more than 1,000 times every month, month over month. In a city that values -- I assume I can do a little more?

Wheeler: Yea, I stopped the clock.

McLaughlin: In a city that values social sustainability, arts and culture and quality of life the negative placarding impacts on live music venues confounds those priorities. Furthermore it absolutely fails the equity test, its hard not to be cynical about a policy that threatens to stigmatizing small property owners, low income renters and small businesses rather than the highrises and condos that sit in liquefaction zones. Music Portland would still strongly support a city-wide public education program in lieu of the placarding to make Portlanders aware of all risks that they face and align them behind constructive rather than fear based policies that threaten to do more harm than good. The music community would be thrilled to be an ally in promotion of such a program and really give a great platform for

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that. This would be a more equitable, effective and constructive approach for our city. Thank you for your service and for our good chance to talk today.

Wheeler: Thank you we appreciate you being here, good afternoon.

Bishop Marcus Irving: Good afternoon. I'm bishop Marcus Irving Albina Christian life center and I am also part of the group of ministers that you just heard from. To commissioner Saltzman and to mayor wheeler and to commissioner Fritz, commissioner Eudaly I appreciate this opportunity to speak to you. I feel like I'm in Afghanistan with a pea shooter. I found out about this process in May and all of us ministers are scrambling around trying to make sense out of this that you have been working on for over four years. It's not fair. It's not fair for the rest of the building owners, many of whom have not been contacted, they have no idea that they are getting ready to put a placard on their buildings. My father was displaced by Portland community college when we had the walnut park theater on Albina and Killingsworth, and we moved to the building that we are at now and here we are once again facing displacement. I feel like I might as well give you the keys now to my building because I can't afford to have an inspector. I can't afford to -- there's no way in the world my congregation can go out and buy a \$1 million building right now because we couldn't pay the loan back and we're facing an impossible situation and all 1600 of us are in the same predicament here. This scripture, psalms 18 chapter, 7th verse that says "then the earth reeled and rocked. The foundations also the mountains trembled and quaked because he was angry". I need to say that I don't think any one of you any one of the fire marshals can tell us right now which building in this city won't fall, retrofitted or unretrofitted. When god begins to shakes this earth. I think that we are really in being done a disservice and my time is up, but just give me 20 more seconds. I'm a preacher 20 more seconds. [laughter] I did a funeral last week. I didn't have time for this. The family of the deceased person had absolutely no idea what to do and so as a minister, we went to the funeral home, we took them by the hand, we led them through everything. By the end of the funeral after our Sunday morning service, Monday I poured myself out on the couch. I was totally, totally exhausted. Only to find myself having to come here because of imposition concerning these placards and concerning the placards -- concerning the placards. Anybody -- I feel that the placards are in every way a disservice to all of us and its a detriment to every building that will have to put those placards on the buildings because we have factions and groups that will walk past our buildings, whether they are members or attendees of our churches or not, and they will form committees and they will be asking me questions because I'm doing funerals and weddings and counseling I won't have time to talk to them about these placards or anything else. Sometimes some of us didn't choose our buildings our buildings chose us. That's what we have. Thank you very much for your time.

Wheeler: Thank you, bishop. Appreciate it.

Moore-Love: The next three.

Wheeler: Good afternoon. Would you like to start?

Kathy Rogers: Want me to go first? Okay. My name is Kathy rogers, thank you for listening and hearing what we have to say. I have one ask. That the issue of this placard be put in the committees newly being formed and discussed and evaluated and looked at around all of the issues amongst one piece of a larger puzzle. Commissioner Saltzman, you indicated that part of the reason of the placarding is to spur public discussion and support for seismic upgrades. If that's truly the case, why don't we notify everybody who lives or works in the high liquefaction zones? Which includes downtown, the pearl district, and the south waterfront. If everybody who lives or works there got a letter indicating that it was a high liquefaction zone, that would raise some awareness. Why don't we notify everybody who has gas coming into their building whether it's commercial or residential that a \$400 automatic gas shutoff valve would dramatically reduce the dangers in an

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earthquake? Somebody told me that. I had no idea. No idea. I had gas coming into my home. The minute somebody from the gas company told me that we had one immediately installed. An education process there I believe there's some 40,000 buildings in the city of Portland that have gas coming into them, and not many have gas shutoff valves. You also indicated, commissioner Saltzman, that we had a four-year process. We had a urm committee, and I was at many of those meetings. They discussed placarding add length. They unanimously voted against it. There's a reason for that. In terms of the database we all know it's inaccurate and with all due respect if a building owner believes their building is not a urm building and there's some question in ours I can pretty much guarantee you that the cost of the proof is going to fall on the building owners. We have already spent \$8,500, and it's still unclear. So who is going to pay for the proof of whether it is or it isn't? In terms of insurance, I don't know who, what insurance you guys have been talking to, but my guess is that the reason the cost of insurance won't go up with placarding is most property insurance doesn't cover earthquake. Doesn't cover it at all. You have to have earthquake insurance, which we have. I have had discussions with our insurance agent who indicated that this will be troublesome not only for the cost but even for our building to maintain earthquake insurance. If an event happens, earthquake insurance is going to be key to rebuilding. Elizabeth has spoken with our insurance agent and all I can tell you what they told me. We pay \$12,000 a year for our earthquake insurance coverage and I'd like to keep it, thank you for your time.

Wheeler: Thank you, good afternoon.

Nathaniel Brown: Good afternoon, mayor, commissioners. My name is Nathaniel brown, a government relations specialist with Portland business alliance. The alliance represents nearly 1900 businesses, a majority of them small businesses and hundreds of property owners throughout the Portland metro region. As you're aware, we have been closely monitoring the city's process to develop this mandate to retrofit urm buildings and we were largely in support of the resolution that past in June that outlined the various class requirements and the retrofit timelines. We certainly understand that these vulnerable buildings pose a safety risk in event of an earthquake, however we are very concerned that placarding will go into effect before any clear upgrade requirement or financial incentives are in place which is at direct odds with the city's urm stakeholders advisory committee recommendation of voluntary placarding for compliance. We do appreciate the clear direction in the June resolution to identify incentives and other financial support for property owners but the mandate will have a financial impact on property owners and commercial tenants particularly small businesses and neighborhood districts. The placard may further impact revenue and the property owner's ability to finance the required seismic upgrades. Because of these serious concerns our strong preference is to refer discussion of the placard requirement to the new stakeholder committees formed to evaluate the retrofit requirements. If the city does move forward with the requirement today, it is essential that the provisions within the requirement for an appeals process remain. The city has stated as we have discussed today that the accuracy of the urm inventory cannot be confirmed due to a number of factors. Property owners must have a way to avoid the placard if the building has been upgraded to current standards. Additionally the requirement must include a swift process to remove the placard after the building has been upgraded. We recognize the difficulty of balancing public safety, the need for affordable commercial and residential space and financial impacts on building owners. We also urge the city to monitor the impacts, the economic impacts of any placarding requirement should it move forward. Thank you.

Wheeler: Thank you. Good afternoon.

Roger C Jones: Good afternoon to you all it's good to see you here. I'm sorry that after May 9th and then June 13th this has been such a rocky road. It's been a little seismic for a

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lot of us, but things changed on June 13th, and an urgency happened. We were hoping to be all on the same path forward with the new committee that thank goodness you guys have done, but one thing sticks out, and that is placarding. I don't want to separate that, but placarding is putting the cart before the horse and I'm sorry nick is not here he used that term when we were talking earlier. Putting the cart before the horse is like penalizing people for owning urms, it is a stigma, it is a very negative process. I know that the policy committee has said that's not what they want. They want 'atta boys. They want to set a good example for the future so that we can move ahead. Others have stated the list is faulty. I'm not going go there because I have my own thoughts about it and I have told you before and I've told you before and if we continue to use a defective list it would be like me going to the bureau of buildings and saying I need a building permit to build a sand box and I don't know how to build a sandbox, but give me a permit for it because I think I want a sandbox. This is an enforcement action, and the first thing that the government is trying to say to a property owner is the first line of the notice. It says this is an unreinforced masonry building. The owner can't prove that without a very invasive process to say it. So what's going to happen in my idea is that when people get those notices they are going to disregard them, sadly. It would be a good thing if we could enforce it, but we can't. We're going to do it wholesale on every urm building and they cannot prove, they can't prove that the first line is true. If I owned a urm, I could not state definitively this is an unreinforced masonry building. Am I out of time? Oh, 30 seconds. I just want a process that works. I would hope you will pull back as many others have said and take this under advisement as all of the constituents and affected parties and put it back into the process that's going to go on for the next year to get a process that works. Thank you.

Wheeler: Thank you.

Moore-Love: The next three.

Wheeler: Good afternoon.

Matt Reid: How are you? Thanks for having us, mayor wheeler, commissioners. I think a lot has been said that I would have already said, I'm just going to agree with Angie over there, I agree with most that she put down. I'm want to identify that we have owned our building in the pearl district since 1969, 1970. We're very good stewards of it. I have had it since '96. Very proud of it. We kept it up to current code. We have had the roof redone. In the code it was asked that we earthquake our pulpits and our water tower and our roof. We did. It worked perfectly. We're earthquaked halfway. We're looking to do our walls. We know we need to. We all want the same thing. I'm a fourth generation Oregonian, we want to say I'm really proud of our building. We survived. So many buildings around us have not and we have a bunch of small businesses in there. I kind of want to address Mr. Saltzman or commissioner Saltzman, excuse me, I appreciate your strong opinion of how you feel about it. After running a building for 30 years I disagree. I'm going to have some trouble. When I start having trouble and they ask me the question I think the question is said was it's going to start a conversation with your tenants about hey Mr. Owner, why haven't you upgraded the earthquake? We're going to level 2. The requirement the engineer is talking about is level 4. If I do that they are not going to be in my building any more. In fact my building may not be there anymore because it's cost prohibitive and it's that and the city if they can help us do it we're on the same team we want the same thing, but by blacklisting or by putting a Scarlett letter on my building when we're doing everything we can to be in code, be good Portlanders, supply a business application I got great small businesses there. They do shoes, they invent things, they are all going to be displaced because they can't afford to be there, that's the answer to your question. Why haven't you done it? Because you won't be here anymore because you can't afford to be in here. I'll have to raise rents too much to get to that level four to get the placard out of here. I fully intend to earthquake, I want to earthquake but there's a process of when we redid our roof we did

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our earthquake. When we did our pulpits, we did the water towers. When we did the next step we'll do our walls, we'll do our - - the lines are set, we can walk down that path. We hope Salem will come through and help us a little bit. Most people in there are just like me, their retirement funds, their Oregonians and they love their properties. They are not trying to chintz out. So with that I want -- the process worked for us, we're already on our way. You don't need to placard us cause that could harm us. I disagree with you, it will harm us and that's from 36 years of it renting a property, it will.

Wheeler: Thank you. Good afternoon.

Nancy Chapin: Good afternoon mayor and commissioners. I'm Nancy Chapin, born here in 1939. Once again at least for the third time, maybe the fourth, maybe the fifth time I'm ashamed of my city fathers and mothers who by approving this staff and council driven ordinance will have once again targeted a class, a group of people. This time those who own or occupy one to three story urm buildings. The actions of staff and the council over the life of this process have caused financial institutions to essentially red line this class, this group, and have created a potential bonanza for developers to take over, redevelop, and change beautiful, important, historical aspects of what created and makes Portland, Portland and all while financially impacting many owners and residents. Fear itself is no reason to take over properties and residences of this group, class of owners, businesses and residents. I truly hope you see the irreparable damage you have already caused and stop this process immediately. Thank you for the opportunity to speak.

Wheeler: Thanks for being here. Good afternoon.

Dan Lenzen: Hi. Dan Lenzen. Frequent flyer here at city council. Most of you guys have seen me thank you for listening to all of this. There's been fabulous comments and quotes and there's been across the board what everybody is thinking. To get to here I'm living proof of the last 30 years of hospitality industry in the city of Portland, born, raised and having started small businesses, numerous, numerous times, and owned and developed buildings including the grand central building on the east side which we did structurally reinforce as well as other buildings that we couldn't afford to so ended up having to sell them. So anecdotally I want to bring forward just a point. The u sign which is a placard was applied to our favorite now gone, the lotus. Some years ago when the landlord had a bad upstairs we were on the first floor. During that time I was interviewed by a neighborhood fire marshal in the new station about safety of nightclubs and bars in the city of Portland. The lotus was known as a very, very safe place. Incidentally, that night the rhode island fire occurred and they had already scooped this story. So there's two stories going at the same time. That showed that the lotus was very safe, it spoke loudly to the business and the operators of which I was an owner. Also the u was on the outside of the business at the same time and we saw immediate effects for our lunchtime business. So dan, it does affect, yes, it affects in two ways, as you say in one, people are going to think. I get that totally, but on the other side, oh, I don't know. I'm going to choose something else. Maybe a food cart because it's not a building, but it did effect so we put the u on the upstairs where it should have been. We saw business come back because they felt comfortable. That's a couple anecdotal stories as well as my experience having done this thing and feeling comfortable about doing it right and understanding when I couldn't do it and we do lose our building because we can't afford to do it. So I have a lot of experience in all this, and I appreciate all you all really spending a lot of time in this four years. Honestly, I have a urm right now. I didn't know anything about this placarding. So I think the outreach is not there. If anything, education, that's what you want to do let's spend some money on education about these buildings to the general public. I really think that we need to get that out there. Thanks.

Wheeler: Thank you.

*****: Thank you.

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Wheeler: Good afternoon sir would you like to go first?

Doug Klotz: Yes. My name is Doug Klotz. I support this ordinance. We need to let people know which buildings are urms and use that information as they will. I visited san francisco 30 years ago and they had placards on buildings then and people as far as I could tell were not making any choices to not go in there. I went in the building that had the plaques. I in fact worked in Portland for 13 years in unreinforced masonry building and I also worked another 17 years of my career in unreinforced concrete building where -- where the trusses were not tied to the walls. But I did work there. I didn't quit my job, but I remained aware of the risks every day for 30 years, looking around, ok, if there's an earthquake, where am I going to run? Over there? Under that? Under this? So I don't want staff to have to live this way for the length I time I did. I support the program to require retrofitting, and I love this is the very -- the very least the city could do to forward that conversation, and this a first step towards raising awareness. I think we'll do it more effectively than any public service announcements or any outreach. Just seeing those things when you walk down the street, that's going to raise awareness. Thank you.

Wheeler: Thank you, sir. Good afternoon.

Toni Lee Smith: Good afternoon. My name is Toni Smith, and -- excuse me. My concern about the mandate and the placarding is that it's negative and it will have effect on what is the very heart and soul of Portland. These artists, entrepreneurs, musicians in bars and restaurants have become world famous and people are moving here because of them. We're celebrating the maker culture and these are the very community that will be suffered and harmed the most. They're the ones who have no idea also that the pending placard and mandate is happening. Many owners in many cases, the business owners don't -- or the building owners don't know. So I politely disagree with your assessment that there's been education in the community. There has not been education. There are many, many people that do not know this is pending as well as the inconsistency of the list itself. There are probably people on the list that have no idea that they -- that are not on the list that have no idea they are u.r.m.s and they will be subject to the placards and the mandate. I agree with many of the other testimonies that say this is not a public safety issue. It doesn't assist in educating or helping people, knowledge that it's a u.r.m. Doesn't allow them any -- doesn't give them any information about how they should act in it as well as building others are not going to be -- owners are not going to be able to get loans to improve their buildings so now their buildings will go in disrepair rather than improving them and maintaining the seismic upgrades. I urge you to vote no on this negative platforming and lead to education or take the placarding conversation back to committee with the rest of the mandate. Thank you for your time. And thank you so much for the open dialogue and inviting the community to testify and continue talking with you about this issue.

Wheeler: Yeah. We appreciate your being here. Thank you. Good afternoon, sir.

Robert Hunter: Mayor, commissioners, my name is Robert hunter and I own three buildings. They're on your list. One was taken off. It's a cinder block building. One is a brick building. It's still on. And the other one's a cinder block building. And it sits over there in southeast Portland on sediment left by the Missoula flood 15,000 years ago. It's a liquification area and I pulled up one of your maps, one of the Portland maps for liquification. It's up and down both sides of the Willamette and the pearl northwest Portland, southeast Portland. Instead of placards, why don't you make signs and put it on street corners in these areas educating the citizens of Portland that this is a liquification zone, and it's susceptible to land sinking? All you have to do is look at what happened in church. There's videos on you youtube about that. That way you would educate the entire city of Portland and not just go after building owners. And then you can deal with building owners on individual basis. I will retrofit all of my buildings, one doesn't have to do that, but I will do that because I think it's great to do that. The other one, the brick, I'll do that. The

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third one, which I -- is questionable, I called the city engineers to ask them to assist me to determine whether it needs to be on the list and this woman was very helpful, but she wrote me a letter back and told me I had to get involved with a -- maybe have an engineer look into it, which a neighbor who is with an engineering company said, robert, you know, I don't think that is a u.r.m. building. It's cinder block and there's rebar in that. So now I am left with having to hire an engineering firm to find out whether it is, because it's on the list possibly by a mistake. So what I want to leave you with is that I think educating the entire city by signs on every corner of the city saying this is a liquification zone and it's susceptible to earthquakes. Thank you.

Wheeler: Very good. Thank you. Thanks, all three of you. Good afternoon.

Gregg Harris: Good afternoon. Thank you for having us here. My name is greg harris I'm the owner of roosevelt's terrariums on hawthorne boulevard. I'm also the -- I'm also the copresident of the hawthorne boulevard business association and i'd like you to stop and listen carefully for just a moment. Did you hear that? That was the sound of a silent economic earthquake that is rolling through Portland and bringing down buildings unnecessarily. If you listen closely, you can hear the sounds of laughing developers swooping in like looters after a disaster. And you can also hear the collapse of many political freeways that are careers collapsing from the devastation. The fallout from this mandate and the placarding is going to cause tremendous amount of suffering and financial disaster for many, many people who have no backup system. And it could be avoided by simply stepping back from the precipice and including more people in the process. There have been many suggestions made here today that I think are valid. I believe that different ways of educating the community that there could be a means of assisting and funding for those who want to retrofit their buildings and who have the means to do so but they would need to have some kind of assistance that could be a cooperative operation between private and public agencies and funds. The Portlanders that I know would be willing to step up and endure the expense involved in creating a fund that would rescue important landmarks in our community and would be able to make sure that 100 years from now, we're not shaking our heads with regret that we've lost so much what makes Portland Portland. In conclusion, the hawthorne boulevard business association has been following this issue closely, and we would make the following two requests. Number one that you would refer this action to the stakeholders in the community and allow them to have a more audible voice in the process and to be able to bring their -- their experience to the team and to work together to find solutions that are not going to create so many unnecessary casualties. And secondly, to seat a small business association representation on that committee. Hbba would be willing and would appreciate being considered for this position, but we believe that education is important but education all around, there are many options that are not being effectively considered. And I would like to see those brought to light. Thank you.

Wheeler: Thank you, sir. Appreciate it. Good afternoon. Last but not least.

Moshe Lenske: Mr. Mayor and commissioners, thank you for starting up a long process. You may not have -- may not be familiar with this book the earthquake engineering handbook.

Wheeler: I'll wait for it to come out on audio books. [laughter]

Lenske: Don't time me yet. [laughter] please.

Fritz: I'll ask your question mr. Lenske so you can keep going.

Lenske: It tells you how much more there is to do, but thank you for getting along as far as we have. I'd like to make three points if I may. First one is about the placards. I'm assuming that putting the safety number on a masonry building doesn't say that a wooden building is safe. That would be bad, wouldn't it? Rather, I -- the placards, it seems to me, should have a more positive message, such as for the citizenry that they heed any alerts.

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Something's going to happen sometime somewhere, who knows what, when, where, nobody, it's a phantom but it will happen probably. Citizens should heed alerts, and it should have -- they should have some idea of where to go or what kind of place to go or what kind of place to avoid. That's an even positive message for everybody in the city. Finished with that. Next thing that I would like to talk about is the professionalism, lack of it, of the database that you're using. I don't understand it at all. I own a two-story building, 1910, exquisitely built with a barbell threshold. So they grade it as a -- as an occupied building. It's an unoccupied warehouse. So, on top of that -- so, that's just wrong. They haven't examined it. They haven't been there. And so, they're just wrong. On top of that, they have a mechanism in which they it -- for buildings, they add it -- they come up with a occupancy of 100. I don't know if that's a standard number or by footage or whatever, something. So here we have a -- your data, 100 occupancy. Actual, zero. If it's 100 to zero, that's 100 wrong, isn't it? Just offhand. Moving on, they also claim that it's an un -- that there's no -- what's the -- what's the word? Help me.

Wheeler: Unreinforced.

Lenske: Yeah. It's -- well, the fact is that a car tried to drive through our building and it collided with an 18-inch -- turned out to be steel filled with whatever it was, and so forth and so forth, and it left a bloody mess, but -- [laughter] so -- but the point is the building was built with this reinforcement and steps -- concrete in the basement, etc., etc. It's a well-built building, but -- but -- so, they're wrong on three -- figure I could go more and more, but I think you get the picture that, if you're basing yourselves on this data or this kind of data, you better look at your whole cards big time, because -- I wish I had more time. [laughter]

Wheeler: So do I because it's been enjoyable. [laughter] thank you. I appreciate it. And I feel badly because now you have to take that book back. [laughter] thank you very much. Thank you, sir. All right. So did we want to bring staff back to have some follow-up questions?

Lenske: There is a really important --

Wheeler: Yes, sir. Go ahead, please.

Lenske: On the environment, we do an environmental impact statement. Right? What this calls for is an economic -- economic impact statement. You know? What's the city losing? What's the city going to have to pay for -- on all its buildings, etc., etc.? Do they have the money? Do they have the staff? You have a lot of property, and it's -- I suppose you can't just exempt it or -- it's -- would come under the thing sort of -- so if you would do that and I -- I think this would go over into other things. You know, old brick buildings have lower rentals, and we're talking about affordable housing? You might be losing a whole bunch of affordable housing is what you're doing. So, you need a whole larger economic impact study to really know what's being affected thing -- and -- and that's before -- this is -- don't do it. [laughter]

Wheeler: Thank you. [applause]

Fritz: I have a question for chief myers.

Wheeler: Sure. Why don't we have our whole -- the whole team common up just so you're all here. And you can bring -- slide some chairs if you need to.

Eudaly: Is shelly from prosper Portland still here?

*****: Yes.

Eudaly: Ok. Sorry. I was looking right at you as I said that.

Wheeler: If you wouldn't mind, it's been a while, when you talk, could you reintroduce yourself for the record. Thank you.

Fritz: Can I go?

Wheeler: -- commissioner Fritz.

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Fritz: Chief it was mentioned about the 'u' that's on a building and tell people what does the 'u' mean.

Mike Myers, Fire Chief, Portland Fire and Rescue: Thank you commissioner, mayor and commissioner, Mike Myers I'm the fire chief with the city of Portland. Some of you may recognize as you drive around town a large red "u" that occupies some of our buildings. That "u" is not meant for the public to recognize for their own safety, it's actually for the firefighters. So there was a lot said today about the safety and welfare for individuals moving in and out of the buildings, and we spend a lot of time making sure that the buildings are also safe for our firefighters to go inside. There's a lot of very old buildings, there's a lot of unkept buildings. When we get a call for service, we have about a five-minute response time and about ten seconds when we arrive, literally, ten seconds' time to make a pretty significant decision whether we're going to enter the building or not. And so I make some -- by myself and other fire chiefs on the scene make some very difficult decisions to send city employees into very dangerous buildings. So, we go out beforehand, throughout the year. We have a battalion chief that has this assignment. That individual works very hard and working with business owners, identifying buildings that are unsafe and there are many factors that go into making that decision. It is not an easy decision for the building owner. It is not an easy decision for us, but ultimately, there is -- couple things happen. One, we ultimately decide that we're going to put the "u" on the building. It does stimulate the owner, to some point, to get the "u" off in some cases. And in some cases, they don't care. And the second is the building owner, we work with that individual to help them figure out what it is going to take to get the "u" off. It's not something readily known to the public. We don't advertise that's an unsafe building to the public. We do that so our firefighters know that when they make entry there may be missing portions of the floor, there may be multiple roofs, there may be limited access, they may find themselves easily trapped, there may be collapse hazards within the building. There's many, many factors, but that's what that "u" is about. It's been going on here in Portland for quite some time.

Fritz: So firefighters responding to an emergency wouldn't necessarily go inside a building if there was a "u" on it.

Myers: Not necessarily. I would -- it's hard to say. Those decisions are made at the freedom of the commanding officer when that officer arrives, but I can tell you it would be likely that they would not enter a building with a "u" on it. However, if there is a rescue necessary, there's an individual in there and we know there's an individual in there, those firefighters will probably take pretty significant risks to enter the building anyway.

Fritz: Appreciate the service of the officers and will these placards make any difference to whether firefighters go into buildings or not?

Myers: No. I do not believe they'll make any difference at all, that's not -- it has not been discussed at our operations meetings. I can tell you my experience would suggest it would have -- make no difference whether a firefighter would enter a building or not. You know, I came in here a couple years ago. This was after the prior fire chief was very successful and commissioner Saltzman in getting the nightclub sprinklers on. And I know every time we make a difficult decision, balancing what is appropriate for public safety for the public, at the same time, we're hearing today and we're not ignorant to this fact that there's a balance. We want vibrant cities. We want businesses to thrive and we want commercial space to be occupied. That's all part of it, that equation and business owners will tell you they want a safe building too, largely when we go in and talk to them and I thought it was a smart thing to do. I'm glad you took those steps, commissioner, years ago with the prior fire chief. We have another pending issue with high rise properties in the city of Portland that are not sprinklered today and we will have to take steps to remedy those. These are not inexpensive fixes, but we've seen demonstratable disasters around the world if we

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don't take these necessary steps. What I'm seeing is good conversation between public officials, commissioners and mayors and the public around how we get that done and that balance and I want you to know that we are aware of that also in the fire bureau.

Fritz: Thank you and just going back to the 'u' buildings. Do you have any data on how many "u" buildings have been brought up to code, how many just keep operating and how many have closed?

Myers: I don't have that data with me. I can easily get that data if that's something you're interested, we can give definitely get that.

Fritz: I would think so.

Myers: Can you help me and formulate your question to me in an email and I will pass that along and get that done?

Fritz: Yes, I did do that. Thank you.

Myers: Thank you, we will take care of that.

Fritz: Just to summarize, if a building were generally unsafe, it would probably already have been inspected and already have the "u" on it. What we're talking about here is buildings that would be unsafe only in the event of the major earthquake.

Myers: That's my understanding, yes, only in the event of a major earthquake.

Fritz: Thank you.

Wheeler: Commissioner Eudaly.

Eudaly: I had a question for the chief, so some of the most compelling testimony I heard today was about the fact that there are multiple types of buildings that are more likely to come down in a major earthquake as well as these liquification zones. Of course we can't do a lot retroactively about liquification zones. Buildings can be built to different standards, new buildings, but I'm certainly in agreement that we need to do a much better job educating the public about all the risks involved with a major earthquake and ensuring they're prepared. That said, it's my understanding that the unreinforced masonry buildings pose a kind of extra hazard to the public safety in that they're likely to collapse and the debris will fill our streets and prevent emergency vehicles from reaching survivors, fires, etc. Do you happen to know what those other types of buildings are and -- and if they're on a par with the risk of the buildings we're talking about today?

Myers: So, I'll be as frank as I can without scaring the public. So, here's where we're at.

Eudaly: If anyone's read articles about this earthquake, they're already scared.

Myers: It's just not about earthquakes. I thought one of the pastors said it best with his quote, his verse. The magnitude of the earthquake matters and the magnitude of every disaster matters. I don't care if you're on the coast and you're facing hurricanes, tsunamis, heat waves, the potential disaster is really about magnitude. The higher the magnitude goes, the potential could be extremely bad for Portland. We have no idea on the level of the disaster that we can possibly see based on the size of the magnitude. If we're looking at an average-size earthquake and what it might do to buildings and we are looking at trying to remediate and fix some of those buildings on what is likely to happen, I think that's what we're talking about here today. Can we make Portland entirely safe? Absolutely not. There is a lot of potential danger, not just in our city, but multiple cities across the united states that have -- are in earthquake zones. Those are all over and we're not the only city that faces this issue. We are taking, I think, an appropriate step I'm not talking about the placarding. I'm talking about taking steps to remediate unreinforced masonry buildings, just like we need to put sprinkler systems in areas of -- of -- of occupants and high rises. These are minor steps that I think we should -- we should take. If we didn't, I think we'd be remiss in our duties if we just didn't act and I thought there was a lot of good testimony today. A lot of the good conversation about what other people would like to see, and that's good public government, but I think everybody would agree in the room we should do something about this. Right? And so what -- at what point do we do something? At what level? So

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largely, talking about brick buildings. You did specify the types of buildings. These are largely the brick buildings, which I frequent as well. I happen to live downtown here. And so I'm in and out of these buildings all the time shopping and doing my daily activities. So I'm very aware of those buildings and the wonderful exchange of vibrancy that goes on in the downtown area.

Eudaly: But the question remains, why would we target one particular type of building that's vulnerable to collapse in an earthquake when there are others and maybe that should go to our engineer?

Amit Kumar, Bureau of Development Services: Yeah, so, again, just looking at performances of these types of buildings from around the world, um types of buildings are shown to be the most prone to earthquakes, especially even small earthquakes. For example, in the mid '90s, we had the mollala high school that even under a 5.4 earthquake, we had the facade falling off the building on the thing. So we are very susceptible, just because of construction type. They are very brittle materials, the floors and walls are not attached together, so, when an earthquake happens, they just separate and cause a collapse of the building. So every earthquake you see around the world, these buildings have been shown to be the most vulnerable of any other type of construction. Yes, there are other types of buildings that are also vulnerable, but these are the ones that are the most dangerous of all of them.

Eudaly: And when we say um, are we including brick, stone and concrete?

Kumar: Yes all of those are considered unreinforced masonry buildings.

Eudaly: My next question is for shelly. I think while we did an excellent job on the kind of structural and engineering analysis, we didn't do a great job on the financial analysis or impact to the building owners in the city. And so, one of the things that I've committed to as we move forward on other pieces of this conversation is discovering, developing financial incentives and lending products.

Shelly Haack: Right.

Eudaly: That are viable for most of these -- that would be viable for most of these building owners. So can you talk about where we're at with property fit.

Haack: So, with property fit specifically, the program is active. We've closed our first transaction, and it was on unreinforced masonry building, this being renovated and will be put back into use. It was a vacant apartment building. It's now -- will be put back into use as a social hotel or hostel, and that's scheduled to come online in 2019. As far as the actual financial analysis in general, I think what we -- what we learned through the process is that the financial needs of the individual property owners as well as the costs associated with the retrofitting, the unique individual properties is that you need a suite of financial tools that are going to meet the unique needs of each of those components. And so, through the support conversation what started out as the incentive committee, it was -- I -- we identified a suite of financial products that would be of value to building owners. The challenge is finding the capital to actually fund them. And so some of the ideas that we identified was one was expanding the authority, the statutory authority under the pace -- authorizing pace legislation for a property fit, which we were successful in doing. We also went to the legislature to gain approval of a property tax exemption program, what is called sb-311. There's conversations now about, ok, how do we take the statutory authority and now actually exercise it and put it into programmatic form?

The -- some of the financial product types that we've been talking about are something as unique as a shared appreciation mortgage. Some of the property owners, the buildings will not afford additional debt, that the economics of that building, the amount of revenue and the cost of operating will not allow it to actually service new debt. And so, a shared appreciation structure is one where you could -- it would be -- it would be a lien against the property, that there would be no payments required, and at the end of the term, there

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would be a return of that investment. That would serve the needs of a unique set of building owners. Some building owners just need the economics of the current real estate market to catch up with what that debt service might be. They might benefit from yet an interest rate buydown or some other type of financial tools. So really the crux of it is we've come up with some ideas of what the suite of products could be. In order to actually put those forward, we need the capital with which to make the investments. So that's -- that's the challenge at the moment.

Eudaly: And just -- this seems like a good opportunity to clarify something that some people may have been a little confused by. There are a couple reasons that we're giving a longer phase for non--- phase-in for nonprofits and churches but a big reason is we don't have financial incentives or lending products for them because they don't pay property taxes and they don't -- I mean, it's just a very different scenario for them. So, while I certainly value, appreciate, patronize many businesses that are in u.r.m.s and wouldn't want to see them go away, those property owners aren't subject to kind of the same challenges that nonprofits and churches are and that's why we have distinguished them. Thank you.

Wheeler: I just have a couple of questions. Jonna can you tell us a little more, we heard a lot about decision-making. Could you tell us more about the decision-making at the policy committee around placarding?

Jonna Papaefthimiou, Portland Bureau of Emergency Management: Certainly. So the policy committee was actually three committees over the course of four years. We had a technical advisory committee of engineers and architects. They did recommend placarding for unreinforced buildings. Then we had a committee, a financial committee that was developers and people in who work in the finance industry. They recommended against placarding or only positive placarding. Then when we came to the policy committee that was called upon to reconcile those recommendations, they ultimately didn't recommend placarding. I think they really struggled to reconcile the other retrofit recommendations so it wasn't a topic they spent a lot of time on. What they did recommend was tenant notification and that the city pursue that, actually, it's a state legislative item which we may still do. But they -- that -- I think it's important to remember that policy committee also recommended mandatory urm retrofits for all unreinforced buildings in the city of Portland so my understanding when this came forward to council is council did not opt at this time to follow through and require retrofits for all those buildings, but the compromise was, since we weren't requiring it at that time, we would move forward with placarding so at least people would be informed.

Wheeler: You said it more eloquently than I did up front and I tried to set the table up front. In fact, we have already compromised away the policy committee's rather stringent requirements around seismic upgrades and I know the chief had come in, the fire chief had come in at that point and eloquently spoke in favor of that. Somebody mentioned the mayor of christ church, in fact she visited Portland, she came all the way from new zealand to Portland to strongly encourage us to push the seismic retrograde mandate. And she was quite eloquent in that basically saying, yes, people are going to be very angry at you. Yes, they're going to be unhappy. Yes, it will create all kinds of economic hardships, but if the earthquake happens and you haven't done it, you've got a whole different level of grief coming and reckoning coming. And so, I -- I'm appreciative of that. I actually wasn't aware that one committee had recommended in favor of my -- my understanding was they had all recommended against. That was against what the broader recommendation was, which was enforce the seismic upgrades and do so quickly.

Papaefthimiou: Exactly.

Wheeler: Thank you. One other question. And this is a general issue. It's not just specific to this issue. We hear a lot -- and maybe it's more of a comment than a question. We

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heard a lot of people, people who I trust, say they never heard about this process until fairly recently when it heated up in the news media. I believe our standard policy is to notify building owners. Is that correct? And are we thinking citywide, enterprise-wide, about maybe changing the way we notify for these things? Because let's be honest. If you're a tenant and a building owner gets 150 notices and it all looks sort of the same, there's a lot of opportunity for you not to get it or maybe I -- I heard from one of my pastor friends who said they had a front office volunteer who checked the mail, and they had sort of a standing agreement that if it was junk mail, throw it away. And it's possible that it got round-filed with some of that. Is there some way we could improve our notification process just so we don't have people feeling like we're excluding them from an important process? Has anybody given that any thought yet?

Nancy Thorington, Bureau of Development Services: Yeah, sure. I can take that, mayor.

Wheeler: Thank you.

Thorington: Yes, definitely. We heard loud and clear, I went back, I wasn't here at the hearing -- the original hearing in June, but I did go back and listen to the testimony, and even just talked this afternoon with a couple of the pastors and with our equity manager. We really do want to do better. We very much heard them loud and clear that they -- regardless of how we think we notify them, they didn't get notice. So we realize that there's a gap there. I don't know yet, because I'm coming in new to this particular project, how we're going to do it, but I know we need to do it better than we have been.

Wheeler: I'd appreciate any recommendations. Maybe it's even certified mail and then we follow up with people who -- where we haven't received the receipt or -- you know, I'm no technological genius. Maybe there's better notification platforms out there, but I'd be really interested if that, because we increasingly and routinely hear that people say, I never heard about this process, even though it's been going on for a long time, and I have no reason to doubt people's veracity on that point.

Papaefthimiou: I'll just add we'll continue to use mail notifications, but I also think commissioner Fritz's amendment that talks about preparing some educational materials that would be inclusive and that would be accompanied with the signs and making those available through our community centers, through churches and other places we'll be placarding, I think will give us an opportunity to reach people even if they don't read their junk mail.

Wheeler: Ok. And I had a question for my colleagues. Commissioner Fritz's amendment is a good one. I don't particularly see it as controversial. Is there any objection if we take the vote on the amendment before we move the package to second reading? Are we ok with that?

Eudaly: I would like a chance to deliberate more on the whole item, but I'm fine with the amendment.

Wheeler: Fine. Very good. And just so people understand, this is a nonemergency ordinance, so we don't vote on the overall ordinance today. It moves to a second reading for a vote, but this is sort of the -- you're here for the meat of the presentation. Commissioner Eudaly, did you have other questions?

Eudaly: I don't have other questions. I do have some comments I want to make before we adjourn.

Wheeler: Sure. Why don't you go ahead and do that.

Eudaly: Ok.

Wheeler: And then commissioner Fritz and I'm going to stand over there for just a moment.

Fritz: We can make our comments at the vote on the amendment perhaps.

Wheeler: Would you prefer that?

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Eudaly: Sure.

Wheeler: Ok.

Eudaly: Are you going to leave the room for my comments?

Wheeler: No, I've just been sitting -- [laughter]

Eudaly: It's been a long day.

Wheeler: Why don't we do this? Why don't we call the roll on the amendment and if people have further comments, that's a good time to do it. So to commissioner Fritz's amendment please call the roll.

Eudaly: Ok. This feels like a weird time to make these comments, because they're not very pertinent to the amendment, but I do want to say a few things. First of all, thank you all for coming here and thank you for your testimony. You've given me a lot to think about. A lot more to think about, about something I've been thinking about for 21 months now. I am left with a few questions. One, who should be financially responsible for proving whether or not a building is on that list? I do not feel comfortable based on the testimony I've heard today that we would create a significant financial burden to a property owner who may not belong on that list. Two, if there are in fact other buildings that are just as likely to come down in an earthquake, that are just as dangerous to occupants whether they would fill our roadways or not, should we be including them in this placarding policy? Is this really an adequate approach that we're taking? And I'm certainly not averse to notices about liquification zones. I have to be honest, I think I would be more likely to avoid a liquification zone than a u.r.m. Building so be careful what you wish for because I don't know if that would be great news for people that are -- own buildings in that zone. Three, who are the stakeholders? Someone said that we need to bring the stakeholders back to the table. And we have been put in this really challenging position, I think, because of the way this whole conversation began of pitting public safety against private profit. And I have to say to the building owners, the stakeholders include your tenants, your employees, your customers, your parishioners. Thank you for the thumb's up, because it's something that very important to me, that everyone has the information they need to make informed decisions about their safety and their choices. So thank you. I am concerned by the issue that miss Arend brought up about financing for seismic upgrades and hearing that our standards may change and then not moving forward with them and learning we were going to be placarding and she may be placard before she has a chance to improve her building. So, I am -- I just want to put that out there as a concern. Yes, this was our compromise. We could not reach a kind of amicable conclusion about the larger issue of standards of upgrades. So we decided on placarding which seemed very reasonable, but this is kind of one of those unintended consequences. I think we're always hearing about. I do want to say that taking matters of public safety back to a stakeholder group in my mind is -- creates a new definition of death by committee. [laughter] I mean, I love the Portland process. I oversee the office of community and civic life. We're charged with civic engagement and outreach, but we were also elected, I think all of us, by 100, 200,000 people who have invested some confidence or trust in us to make decisions, basic decisions about the best interests of our city, and so I don't think a years-long process about a vital public safety issue is reasonable. Not saying we don't need your input. I'm just really nervous about kicking this down the road another few years. And I think everything else I have to say can wait for next week. I just want to commiserate with everyone in the room. This is a really tough challenge, and I appreciate your input, and I really want us to do right by everyone, but I think it's going to hurt a little no matter what we do. Thank you. I vote aye.

Fritz: Thank you, commissioner, for all your comments there which I associate myself with. Thank you Jonna Papaefthimiou. You've been working on this for at least the ten years since I've been in city hall perhaps longer.

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Eudaly: She deserves a hug.

Fritz: Well, this is something that literally has been on the table since the first day I got into office and probably long before that. I didn't really become aware of it before that. So with Sam Adams, with Charlie Hales, now with Ted Wheeler, three mayors who have grappled with this, and it's my feeling we have to do something. What the something was at the last hearing was let's just require these retrofits and what I heard, my biggest takeaway, in addition to the building owners and your concerns, thank you to everybody who came today, and in addition to that, I heard so many tenants both residential tenants and commercial property owners saying, we can't afford to live anywhere else. We like the place that we are, we to stay here and that's fine for those that choose to do that just like I chose to go to my concert. I believe people should have that knowledge and that choice. I have said over and over again that we would only ask private property owners and nonprofits to do what the city is willing to do ourselves. And the point was made we do have a significant liability in the city. I was for five years in charge of Portland parks and recreation, and we had several community centers which currently is \$500,000 just to do an assessment of three of the parks buildings to find out how much it's going to cost to fix them. Like the churches and other nonprofits, the city doesn't have the option of state aid, a tax breaks, other such things, and so it is something that the wider community is going to grapple with because when we're talking about how is the city going to do it? We mean how are the taxpayers of Portland going to do it, because the taxpayers are going to be funding those community centers. I appreciate commissioner Saltzman and Mayor Wheeler putting it so that the city goes first in these requirements and we can look at the data in the community centers from January and February to see if there are massive drop-offs after we put these placards on there. If there is, I for one would be willing to take another look at this. Knowing I've been in university club over on Sixth on several occasions and seen the placard and thought like the Keller, well, let's just hope the big one doesn't hit now. I think that anyway all the time here in Portland. So, I think it would be helpful for people to have that choice and what my amendment does and what I'm about to vote on is say the city has heard you. We are going to take responsibility for creating those materials in an easy-to-read decent font, large type with different languages translating with braille, a way for people to know what really does this mean? The wording in itself may be, huh it may be unsafe. It may not be. Off we go. The other thing we have to do is what do I do then in entering any kind of building in Portland? Because for the most part, you're maybe not going to notice a placard that's this big. And so I think it's just common sense to help educate all of the people in Portland about this challenge that which we all share and we all need to share in the financing, not only for the city buildings, but also for the nonprofits and for the private property owners. It is a joint responsibility. I hope that, in the next budget, we'll be financing an update to the historic resources inventory so we can decide which of these historic -- these unreinforced masonry buildings really do deserve to be historic buildings that then get tax breaks and other public assistance. Because it really is about how are we all keeping us all safe regardless of who owns the building? I do know that insurance companies are in the business of risk assessment. That is what they do. So I just find it unbelievable that an insurance company would rely on the city posting or not posting a sign in order to decide whether or not -- or what kind of premium to charge for earthquake insurance. That's -- I got extra insurance on my house to add the earthquake rider, and I filled out the form, and I'm sure had I been a masonry house, they would have asked more questions, but I don't think that they would have relied on coming over to my house to see if there was a placard on the door. I think to me this really is about public engagement, public awareness, and then once we get everybody realizing that this is all of our challenge, then we will get more support for everybody saying, yes, I can pay a little bit more on my taxes. I can pay this. I can help figure out a solution so that everybody stays

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safe. As time goes by, we know we are due for major and minor earthquakes, and it's time to do something about it. Aye.

Saltzman: Thank you for your comments today and your testimony. As I said at the outset, we have this information on unreinforced masonry buildings. I believe the list that has a lot of integrity to it and it's not completely black and white, but I believe we have done our homework, and this is a robust, accurate list by and large. And what do we do with information we have? Well, we get asked all the time to release information we have, whether it's the media or a private citizen. We have an obligation to be transparent with Portlanders and release this information. The best way to release it is by one of these placards in front of the information. And I believe this respects Portlanders' intelligence. Give them the information. Let them weigh the risks. They're quite capable of doing that. And I believe they will do it. And they also need to be aware of their surroundings. Think about it. If you live in an unreinforced masonry building or you work in one, as Mr. Klotz said, think about what your exit plan is or whether to exit. Think about where you're going to deck and cover. This is information, fundamental life, safety information. And another committee to deal with this, many of you testified saying give it to the committee, and you also testified that the previous committee -- many of you I heard back in May and June were testifying about all the flaws of the committee structure back then and how erroneous they were in their findings and the recommendations of mandatory seismic retrofits or doing things in 15 years rather than 25 years. So, you can't pick and choose. And I'm picking, as commissioner eudaly said, that this council can make the best decision to respect the safety of Portlanders. I appreciate your participation. Appreciate the role of the committee. Appreciate the role of the new committee, but this should not be part of that new committee. This should be a decision made at the highest level of city government. And that's the five of us up here. And I vote aye for commissioner Fritz's amendment.

Wheeler: Before I forget, I'm going to support commissioner Fritz's amendment and I want to thank you for the amendment, I think it makes perfect sense and I appreciate the effort that you're undertaking. We had a long afternoon, but I want to thank everybody for their testimony today and for those of you who have met with me on many occasions. I want to thank you for those of you who have vociferously disagreed with me, I want to thank you too. Every meeting I've had on this, every conversation I've had, every call, I feel like people have treated this issue with the seriousness that it deserves. I think people have been incredibly respectful and as per always, I come away from this whether you agree with me or disagree with me on this issue, I come away feeling very good about the fact that I have a city where people actually engage on these important issues and share their thoughts and do so directly and respectfully. So thank you for that. I want to particularly thank Amit and Nancy and Jonna and the pbem, Portland bureau of emergency management team for lots and lots and lots of work on this that predates my tenure by at least 50%. [laughter] so thank you for that. I want to thank chief myers for your continued focus on the life safety issues in reminding us that we have a duty to keep those issues in front and center. I want to thank elisabeth perez from my office who probably wishes I assigned her just about anything else, but you have done a fabulous job and I appreciate that. And to the rest of my team as well. Is that placard there approximately the right size? Could I have it?

*****: This is exactly the right size.

Saltzman: It is exactly the right size.

Wheeler: This is what we're talking about. The hard work is actually the work that we still have to do, because the hard work is the work that we are, in fact -- I vote aye on the amendment. Thank you. The amendment is adopted. The hard work that we have to do is actually the work that we have put off to the committee work, and we've got a lot of work to do with our -- our pastors in the community, with our nonprofit leaders, with the small

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building owners, with the state. We've put down a marker that we understand the economic hardship that this would pose for those who rent low income housing, for those who provide maker space, for those who provide space to our iconic mom-and-pop businesses, bakeries, restaurants, cafés, art studios. So the hard work is really the work that we have to do ahead and I hope whether you agree on this part of the process or disagree profoundly on this part of the process, that we all acknowledge that we have a lot of work yet to do together. Commissioner Fritz.

Fritz: Thank you. I have a question of this massive size of sign that's in front of us, could you pick it up and show it so the camera can see it as well because this has been staring at me the whole hearing. So obviously, it's the same -- yes. It's got the same -- and it's got the same warning but in the safe harbor -- just --

Papaefthimiou: Safe harbor languages. So it's in Chinese, Vietnamese, Russian and Spanish as well as English.

Fritz: And what's the planned purpose of that kind of a sign?

Papaefthimiou: Well, I --

Wheeler: Can you speak into the mic.

Fritz: Go back to the mic again. Thank you.

Papaefthimiou: The proposed ordinance only requires posting in English, but we anticipate that some public buildings particularly probably parks community centers may choose to post in additional languages so we prepared a sample of what a sign would look like if it included all the languages and then we also have small size. So for instance, if you're in chinatown and you just wanted a Chinese language sign in addition to English, we'll post these all on our website in pdf so people are making their own signs. He this can have a sample and -- they can have a sample and they can easily print it.

Fritz: Or they can get one from you.

Papaefthimiou: Or they can get one from me.

Fritz: Great. I appreciate that effort. We had had some discussion in the office of equity and human rights about whether there needs to be a braille version. I'm not sure that somebody would necessarily be looking for a braille version on the outside of the building, so that, again, was part of my thinking of having a brochure that then is available in braille translation would be the way to do that.

Papaefthimiou: Yes.

Fritz: Thank you very much for thinking about that. Thanks for bringing in the example.

Wheeler: Great. Anything else for the good of order? Seeing none, there being no further discussion, this is a first reading of nonemergency ordinance, it moves to second reading as amended. We are adjourned. Thank you, everybody.

At 4:27 p.m. council recessed.

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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.

October 4, 2018 2:00 p.m.

Wheeler: The afternoon session of the Portland city council, we are now in order. Karla please call the roll. [roll taken]

Saltzman: Here **Fritz:** Here **Wheeler:** Here

Linley Rees, Chief Deputy City Attorney: I'll begin by discussing conduct during city council meetings. Welcome to Portland city council. The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and decorum during city council meetings so everyone can feel welcome, comfortable and safe. To participate you may sign up in advance with the clerk's office for communications to speak briefly about any subject. You may also sign up on resolutions or first readings of ordinances. Your testimony should address the matter being considered at the time. When testifying please state your name for record, your address is not necessary. Please disclose if you're a lobbyist. If you're representing an organization, please identify it. The presiding officer determines length of testimony and we'll discuss that in more detail for this land use matter later. When you have 30 seconds left a yellow light goes on. When your time is done a red light goes on. If you're in the audience and would like to show support for something said, please feel free to do a thumbs up. If you want to express you do not support something, thumbs down. Disruptive conduct will not be allowed. If there are disruptions a warning will be given that further disruption may result in the person being ejected for the remainder of the meeting. A person who fails to leave the meeting is subject to arrest for trespass. Thank you for helping keep your fellow Portlanders feel comfortable, respected and safe.

Wheeler: Thank you very much. Karla, could you please read our one item for the day?
Item 1040.

Wheeler: Eric, are you going to go ahead and introduce our afternoon agenda?

Eric Engstrom, Bureau of Planning and Sustainability: Good afternoon. My name is Eric Engstrom and I am with the bureau of planning and sustainability and with me is Ryan Curan. Thank you for considering today's resolution to adopt the southwest corridor equitable housing strategy. This is an important step as we plan to expand the region's transit system into the corridor. New transit is critical to bringing more access to housing, education, and job opportunities. That said, we know displacement risk from the rising cost of living and the lack of affordable housing threatens the existing economic and cultural diversity in the corridor. Displacement harms households and disrupts communities. As well as creating obstacles to achieving the region's long range growth plans.

Wheeler: I'm sorry Eric. We have a problem with the closed captioning. Can we pause for a second?

Engstrom: Absolutely.

Wheeler: Why don't we take a brief recess.

Wheeler: I just learned something interesting. It's not closed captioning. It's open captioning. And it's working.

Karla: They have you now.

Wheeler: Thank you. Go ahead, Eric. Sorry for the interruption.

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Engstrom: If households most dependent on transit are displaced out of the corridor, they could be pushed into areas with much less frequent transit put into cars or contribute to congestion and carbon emissions with resulting loss of ridership for the transit system. The housing strategy is important for the success of the transit investment. We want to get ahead of the predictable cycle of real estate speculation and market pressures to help ensure there are new housing choices available when light-rail comes. In 2016 council directed us to develop a strategy in relation to the light-rail project. We teamed up with the city of Tigard for an approach for the entire southwest corridor. At last month's work session, you heard about the housing needs and the goals we're proposing. Today you'll hear how we will work with our partners to meet our goals and I'll turn it over to Ryan to introduce some of the project partners.

Ryan Curren, Bureau of Planning and Sustainability: Thank you, Eric. With this resolution we're affirming the city's commitment to equitable growth. Doing this housing strategy and directing bureaus to begin implementation. I want to thank Susan Anderson. Today is her last day as director of BPS. She created a lot of the space and resources to do this work and helped call these important questions. Want to acknowledge that. In doing so with today's work we should recognize how much of a team effort this will be so our community partners are here to share why this is the right approach and what role they will play in implementation. You'll hear from them next. The bureau has taken a leadership role are here to describe the actions that they will take. You'll hear from our jurisdictional partners describing how they contribute to the housing solution. We'll have public testimony and council discussion then council can take action. We would like to start today by acknowledging our partners. There's an endorsement letter from our advisory group in your binder. I want to thank them for the many long hours, work sessions and community engagement to help develop this body of work. In addition many other individual organizations have submitted letters of support. Those are on the record today. You'll hear from a number of them as well. Now we will hear from a few of our community partners. I'll introduce them as they come up to the table. Alan Lazo, executive director of the Fair Housing Council. Rachel Duke of Partners for Affordable Housing. Pam Fan is the policy and advocacy director for tenants. Amino Marr is with her, southwest tenant leader.

Wheeler: Welcome.

Allan Lazo, Executive Director Fair Housing Council: Good afternoon. I'm Alan Lazo, executive director of the fair housing council of Oregon. I come before you on many different occasions and talk about many issues but I'm particularly proud to be a part of this effort. Especially because it's an effort to address early on to address systemic, constitutional and even market forces that come to play in large infrastructure investments like the southwest corridor. For us as an organization dedicated to eliminating discrimination in housing and ensuring access to housing throughout the state of Oregon, we strongly support the work being done through the southwest corridor equitable housing strategy. This investment is a big opportunity for us to advance the obligations, the duties and the commitment that we have as a city and community to fair housing throughout our region and address some of the past harms in communities through large public infrastructure investment. We're all aware of history of racial discrimination and exclusion in and around areas like the southwest corridor. Areas in south Portland that are long part of the preferred alignment were red lined in the 1930s and 1940s while neighborhoods in some of the southwest hills neighborhoods had private racially restricted deed covenants that denied the opportunity for people of color to own homes within the corridor. This history continues to have disparities for these communities today. When we look at the racial disparities, they are in housing cost burden, in wealth gap, homeownership gaps as well as income throughout the corridor and throughout the region so we know that public investments now coming online in this area must be made with the explicit goals of

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addressing this unjust history. We need to work to determinedly eliminate and specifically eliminate these disparities and create better outcomes for all the people in our communities. We have an opportunity right now which doesn't come along very often to undo a past history and do the right thing moving forward. We know that buying land for future affordable housing and purchasing existing apartment buildings, other housing naturally occurring affordable housing in those areas throughout the corridor and preferred alternative will help preserve affordability and opportunity and should be our top priorities in this strategy. These types of capital investments must also, though, be paired with specific new tenant protections and services in ways that can help again preserve opportunity for communities that are both in place and also seeking to access opportunity in this corridor. Specifically again we hope to see targeted education, the kind of work that we do as an organization to educate and do outreach to folks about these issues as well as enforcement of current fair housing laws in the corridor as these displacement pressures again that are systemic, constitutional and market, rise with this large public infrastructure investment we see there. As an organization I thank you and commend you for the leadership role you play here at the local level and also thank you for the foresight on the issues of fair housing and transit equity that this investment can make. If you and our regional partners follow through on these commitments in the southwest corridor equitable housing strategy, you will set a new model for foresight in housing equity. We look forward to following your progress on that. Thank you all very much.

Wheeler: Thank you. We appreciate it. Thanks for the great work you do.

Rachel Duke, Executive Director Community Partners for Affordable Housing: Hi. I'm Rachel Duke, executive director at Community Partners for Affordable Housing. We are a community housing development organization, and we serve this whole area. I'll talk about that in a second. Personally it's fun to be here today having had so much time working in Multnomah county and the city of Portland and having now the opportunity to really understand how as a region we are all connected. After doing work in Multnomah county and now really doing a lot of work in Washington county, I feel like I understand it on a whole new level. I wanted to put that out there too that this is an amazing opportunity for us to look with a regional effort. Community Partners -- in Hillsdale. We know much of our housing is along the southwest corridor. It ends right now at the senior housing project in Tigard. We have a lot of family housing in between and we're currently working on a permanent supportive housing project in the Tigard triangle. That's been financed and now we're just starting with the parole permit process. Sean is here so I'll bend his ear later before I leave. I want to say we're super committed and super excited about this opportunity. We had an opportunity not only with the equitable housing project which came up with a number of excellent recommendations but we also -- I also had the opportunity to be a member of the community advisory committee that looked at what the locally preferred options should be for light-rail. I feel based on those two processes I have good insight on the interconnection between housing and transit and our focus, affordable housing. We know how important it is to be sure folks who are currently living along the corridor can benefit from this incredible upcoming public investment. At the same time we expect another 10,000 people along the corridor by 2035, so with those things in mind it really speaks to the importance of having this strategy adopted. I'm going to say three things that I'm excited to ask about and want to thank you ahead of time for your leadership on these things. One is to be sure that we are tying up land now and prioritizing it for housing in particular affordable housing as Alan already mentioned and as you know this is our moment. This is our time to make that investment so we can benefit from that for years and years to come and the longer we wait the harder that investment is to make because it becomes more expensive. We want to create an urban renewal area along the Portland portion of the corridor. I know that Tigard has set aside some urban renewal areas

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as well and in the Portland area have set aside a large set-aside for affordable housing and fund the request from community based organizations to continue to engage low income households, super important for folks to be represented and coming up with strategies and solutions to make sure their lives are rich and have all those things in it that we all want. Good place to live, access to opportunities, ways to grow, all of it, housing is foundational to that. So again, thank you very much for your leadership. It's really great to be here representing a new organization. Thanks.

Wheeler: Thank you for being here. We appreciate it.

Pam Phan, Community Alliance of Tenants: Good afternoon. Commissioners, I'm pam fon with the community alliance of tenants. I thank you for your time. I get the pleasure and the amazing job of working with community members to express themselves and assert their rights along the corridor so we partnered with the city of Portland, bureau of planning and sustainability as response to our need to create inclusive conversations and lift the voices that are in advisable in our planning projects that we advocated for through the city's comprehensive plan. We're really appreciative that the city heard us and that we're actually actively doing those things. But there's a next step to that. In partnership with the bureau of planning and sustainability we're able to do a southwest corridor leadership cohort with renters. We were able to center the questions around housing and housing needs around folks who are probably most vulnerable to changes in shifts in the market. That's of course renters and particularly low income renters or on fixed incomes, folks with disabilities. These identities are mixed. It's not one individual person that is one thing like they are just a refugee. They also could be disabled. They could be a single parent. So there's a multiplicity of vulnerability that's happening. You only know until you talk to people. We did a cohort. It was three months process we met every other month and recruited families and individuals along the corridor. I want to share that we worked together to come up with some community-based solutions. There are three basic categories. Essentially preservation. What both alan and rachel have said in terms of really acquiring and thinking through what land is available and starting to plan that out and consider numbers of units, that's what we want to do as early an often as often as possible and preserve units that currently people live in. Then next is this piece around community voice and ensuring that community members are consistently a part of this process. We want to ensure that folks who are part of our cohort will get a chance to share with you in a second that they are actually influencing the process. Then lastly, it's this piece around costs in housing and costs in transportation. What are we doing to ensure that programs, services and efforts across the region ensure that people stay in place and that costs are not astronomical and going out of control. Those are the main solutions that the community members came up with. Through the cohort process. We wanted to share those with you, but one thing that is really critical is that kat and our other community based partners will continue to be at the table regardless of the digses made to ensure community voices are at the center of the conversation. We feel it's a good direction, a good place to start and we would like to see more. We know that this crisis is so much deeper than one plan can resolve. We will continue to push for better and more. So thank you very much for the time. I want to introduce amina.

Amina Omar, CAT: I'm amina omar. Thank you for having us here today. I'm a mother of four children so my main thing for my kids is to have a home, a safe home and a safe environment. That's the reason why we're here today. I'm talking about the reason we're here today talking about rent increasing. I live in Portland for 13 years. My first apartment I rented was \$675. Right now that same apartment is 1300. It's almost double so it's like my main concern is rent increasing every single day. We live check to check every single day, our wage are not increase but the rent increasing. I just talked to a friend who is a single mother. She was telling me this month was the hardest month ever. She couldn't even buy

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groceries because she has to pay 1300. All her check goes toward the rent. She goes I don't know if i'm going to make it. I said have a hope. You will survive and make it. But it's really true in our area the rent is increasing every single year. That's the main thing that we have. We hope that you guys could work with something and just maybe fix the rates, just like to have maybe 30 years instead of every year increasing the rent but just have like a long-term for those people like my friend who is a single mother can buy food for her child and buy other things. It's really difficult, really hard for her. For so many people. Also that like the area that we're in. It's the southwest area and we like that because our kids go to school where they are familiar with their friends, their peers. Also we have a mosque very close to us in our community. We all are familiar. We all comfortable over there. We're not going to the other areas. Nobody single us out because we're all in the same comfortable area. Comfortable zone basically. We're there it's like a home to us.

Wheeler: Thank you for sharing that. Commissioner Fish, then commissioner Fritz. Then commissioner Saltzman.

Fish: Thank you, mayor. I have a question for Alan and Rachel. You may have similar answers so you don't have to do it in stereo. I want to put the question out there. We have a housing crisis, and we're approaching it through multiple strategies. The mayor has taken the unprecedented step of taking all development related bureaus under his portfolio, so from the moment an idea is hatched to the ribbon cutting, he has all the bureaus that touch that project and he has said that he wants to see a streamlining of the permit process. He wants to see affordable housing go to the head of the line. He wants to see more concierge services, ways of reducing fees and other barriers. That's a huge step forward. The mayor has said even hold me accountable for those changes. I think the closest we ever came to that was when almost all the development related bureaus reported to commissioner then Kafoury, who had at least three of the five. So that's a positive development. I'm very active in both measures 102 and 26199. One of the things we have learned in conversations with sister counties is that not all of us have the same suite of benefits that we offer to induce development, so for example in Washington county they don't have sdc waivers. They are now actively looking at ways of reducing the burden of system development charges to streamline the development. That's very productive conversation. There's lots of things that we can do to streamline the process but I want to ask you this. We're also hearing from particularly some editorial boards, others, that we should compromise on our values around this housing that's part of our equity agenda. It goes like this. We should not necessarily put opportunity at the forefront. If we can build it cheaper in places where dirt is cheaper. We should find ways of working with boli and the state labor commissioner to reduce costs. There's an ongoing discussion about whether prevailing wage adds too much in other words paying people who build the housing enough money so they don't have to actually live in the housing, that they can have other choices. We're told that some of our sustainability goals add unnecessary costs and we're told that you can build short term housing that has to be refinanced and rebuilt rather than long term housing with 60 and 90 year covenants and in an emergency sometimes you build cheap for the short term, not the long term. I want to give each of you an opportunity to advise us as to whether in thinking about an equitable housing strategy for the corridor, which is a big deal, whether we should be compromising on those values.

Lazo: So i'll start. As you know, I don't actually work in the affordable housing area so i'm not going to address the affordable area issue. I work in equity, addressing that. When we talk about housing in that context I think we have to talk about opportunity. In that context, I think that we need to focus on just what I said in my statement. We need to focus on very specific remedies to a history that has denied opportunity to many in our communities and has the potential to do so again. We have some very clear history here in our community of involuntary economic displacement as a result of large public infrastructure investments

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and we should pay heed to that. I will never come before you and tell you there's one solution to this. One of the things I tell people about gentrification and displacement it's an extraordinarily complex issue. People ask who solved it around the country and the answer is no one because it's a set of very complex local issues that need to be sorted out. So we shouldn't ignore that and one of the things we shouldn't do is ignore that it might -- there might be some opportunities that we need to create at the expense of other things. That's the answer I have for you about the perspective we have as an organization that we need to focus on creating those opportunities in a place like the southwest corridor and be purposeful about it. Otherwise we will lose that opportunity.

Fish: When you say opportunity, let's be clear, you're saying building in areas where we displace people through gentrification and other strategies and the dirt is necessarily more expensive. Yes, you could replace the housing on the fringes of the community in places where the dirt is cheaper but you would be putting people next to schools that are not as successful, next to business districts that are not as well developed, next to infrastructure that isn't as built up and you lose the dividend.

Lazo: That's absolutely what I'm saying.

Fish: It's also the law.

Lazo: I didn't want to go there but you're absolutely right.

Fish: Even Dr. Carson acknowledges that opportunity is the law.

Lazo: We have an obligation to affirmatively further fair housing in our community. That one recognizing that point is one of the ways we can do that. One of the things I started to say about housing, we often think about housing as the roof over our heads. We really ought to think about housing as access to opportunity out the front door. That's really what we need to think about housing for, not only is it shelter, it's also access to opportunity. This kind of discussion is what that is about. What opportunities are we giving folks out the front door. That is different when we do it in a place like the southwest corridor versus someplace way outside that area.

Duke: One thing I do want to say is actually we did get sdc waivers for the city of Tigard. Give them a shout out. [speaking simultaneously] Sean is right behind me.

Fish: Chair Dyke has said he wants to look at that. Historically they have not waived sdc's, and we have.

Duke: That's true. There's a lot more that can be done in Washington county. I'm the first to agree with you there. I think when I remember taking public policy classes where one of the first things I learned there's always multiple and conflicting goals whenever you do any project at all. I feel like housing has absorbed that a little bit. There are multiple and conflicting goals sometimes around issues around sustainability and opportunity and how do we make a good, solid investment that's going to last for a long time. Maybe in some ways they are conflicting but in other ways they are driving towards the future we want for our community. What I would say is there may be some conflicts in terms of cost, but they are all getting us to the place where we want to be. When I think about the opportunity, we're trying to engender includes access to education, access to nature, access to services, access to jobs. All of that stuff is important in terms of having a good life and housing again is foundational to all those things. Access to health. Access to good health. All of those things. Building in a place like the corridor makes sense. It's literally the access is right there. You're going to step out your door and have that. Then I guess the other thing I would say is nothing is cheap. Cheap isn't cheap. You have housing that wasn't built well and in ten years you have to rehab, that's really expensive. It's a reinvestment of funds that could have gone to new units. Building something on the cheap is not even real. It's just putting costs off until later. I just want --

Fish: I'm glad you said that. I'll acknowledge something commissioner Fritz has led the last few years. She's prioritized system development money and other capital dollars in

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building out a park system in undeveloped areas of our city particularly east of 82nd. She's done it intentionally where she has had to prioritize at the expense of other very compelling projects. In all the years, though, that she led that agenda, I never remember her coming in saying we have come up with the cheapest and easiest path to building a park. We took a community vision, we scaled it back, value engineered it. It's got a postage stamp dog run. It's got a surplus children's playground. It's got a loo decommissioned recently but we put more paint on it -- I have never heard her say that because I have never heard the community say what they wanted was us to go race to the bottom. I appreciate your comment.

Phan: Do you mind if I answer your question around this value proposition of opportunity? The case in point what we were able to uncover with the southwest corridor leadership cohort was there's a lot of housing opportunity and apartment buildings that are currently people are renting from in terms of they are called naturally occurring affordable housing and preserving those units, getting them up to code and ensuring that folks have stable rents as amina was saying these are family size units. The complex right next to the mosque on capital highway there's three bedroom units, apartments that families can grow in and actually have multiple generations going to markham elementary across the street. It's not a question of building new only. It's also preserving and using the infrastructure we do have.

Fish: Thank you very much.

Fritz: Commissioner Fish, I have to say we also brought in all the projects on budget because of your great staff within Portland parks and recreation who did that value engineering and was able to find better, even more than the community asked for. Phenomenal. Also, another of the new parks is spring garden park, just a mile from the transit center. In an area that people may not think a park is sufficient, but it is and it's going to serve everyone from the transit center. We recently did a local improvement district from the park that will get people down to barbur. Excited to have a sidewalk in the neighborhood. Thank you for participating. That's my neighborhood too so I'm glad you find it welcoming and it's yours also. My kids went to Markham elementary. I live up the hill. It wasn't necessarily that way 25 years ago. The mosque community and the neighborhood association worked really hard and have just delighted in each other since. I'm happy that you're here. Thank you for that. kudos to the project staff and everyone who decided to give some of the contract money to the educational trust. When I got the southwest neighborhood newsletter this month and saw that the contact information was from educational trust, those are the folks that call with questions. Yes: We're finally learning to invest in the community, invest in the organizations doing good work in the community. So, thank you for that. My question for all of you, perhaps for bureau of planning, is about local businesses. I know from living in the neighborhood that when the 44 bus turns around at Barbur transit center because it can't get up the hill in the snow most of the business are still open. Not only are they locally owned they have local workers. Obviously, this is a housing strategy. Should it mention that we need to look after the tenancy or ownership of those locally owned businesses as well? I have talked about Barbur foods which provides culturally specific food and vegetables for all the cultures that are around which is fantastic, and I'm assured the preferred alignment holds that particular establishment harmless. I know neighbors who own businesses on Barbur and up the hill, so how do we make sure that that gets tied into this because that's also about having people live and work where they can afford to do so.

Curren: So, our next table of speakers one will be Kimberly Branam from prosper Portland. She will speak to that issue. Following her metro will talk about their southwest equitable development strategy, the housing strategy is nested within but goes further to talk about economic and work force development.

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Fritz: Thank you for your work.

Saltzman: I'm curious, Rachel, you mentioned a funding request to support community-based organizations. Can you tell me more about that? Who is the request to and how much?

Duke: I can talk about that but I'm going to punt also to pam. I think that she can also talk -
- I think that the truth is that making sure that we're reaching folks along the corridor we want to be working with organizations that are already there working with people on the corridor like community alliance of tenants. I will say just quickly I'm excited. One of the concepts I'm excited about is potentially an oversight committee to make sure once we set goals, we're from a community perspective keeping track of how we're doing on that and measuring them. Sometimes just setting goals can make a difference but knowing you're tracking the outcomes and talking about how you're doing that can make a significant difference in how well you do achieve those goals. Pam can talk about this a little bit more than me.

Pham: I think we're really excited as community-based organizations, so our initial crew of organizations were community alliance tenants, opal, environmental justice oregon, cpa, unite Oregon, and momentum alliance. Those five organizations we have been meeting the last year to coordinate community engagement activities to ensure community voices are being heard and then supported. To have those conversations, to unpack what plans are, you know, understanding the difference between TriMet and metro. This is really complicated if you don't already have 20, 30 years of experience or have sat on a commission before. Those are the types of training that we do. That was what the content of those three months was. But also putting it in context of people's experiences. That's the engagement work that we do. Then we add that to the plan hopefully you'll like what you see and you'll be able to pass it. With that adoption we look forward to being able to do some core work around what I was talking about with the naturally occurring affordable housing preservation work and also thinking about where else in the community from their community perspective in terms of they know their own neighborhoods, right, folks know where the best investments should be made and types of programs as well as potentially where the housing bureau should be concentrating time and energy as well as the planning bureau. I think that level -- at this point we're talking about creating a community preservation work group of these organizations as well as working with work groups like met, already on the ground, to figure out how to hold a work plan for policies moving forward but ensure there's high levels of influence of community members who are directly impacted and most affected by the changes in the neighborhood.

Saltzman: Is there a funding request and to whom? And how much?

Curren: Yes. We'll talk about the metro grant we received to do planning which will partially fund that request then a bps budget request.

Saltzman: Later or now?

Curren: Well, it's in context to implementation. So my hope was that some of the directors from the bureaus could lay out their work plans then talk about how we're coordinating that all with community, which I think is the question.

Saltzman: So metro station area planning grants and a bps budget request?

Curren: Correct.

Saltzman: Okay. I would like to get some sense of the magnitude, I guess.

Curren: Sure. The metro grant was for \$230,000. We're proposing to put 50,000 aside in that budget for this work, then I believe we have a \$50,000 fall budget bump ask to round that work plan out.

Saltzman: That is for a fiscal year or -- duration of the project?

Curren: It is designed as seed money to get the first year, potentially second year. Then to tee up a sustainability and financial long-term plan for private philanthropic support. It's

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start-up funding is a way to put it. It's an extension of the planning work we have been doing in the corridor. It's definitely not at the beginning of the relationship, it's the continuation of relationship from planning toward implementation.

Saltzman: Thank you.

Karla: Mayor, we have lost captioning again.

Wheeler: We'll take a recess. [recess.]

Curren: I want to introduce Shannon Callahan, director of the Portland housing bureau. Eric Engstrom, principal planner at BPS and Kimberly Branam, executive director of Prosper Portland. They are going to go into what does this look like for implementation. What is the work plan? As a brief reminder I will just quickly go over topics from our work session. We have these three north stars. I'm on slide 5 of the presentation. These three big goals we think balances aspirational and practical nature of this work. Over ten years we have a road map to commit and grow new resources, prevent displacement of vulnerable households and create new housing for all. Those are our three driving forces behind this work. In vetting the strategy, I want to remind council that our advisory consistently asked, are we going to do things differently this time. They follow up with and will what we do be enough. Those are huge questions unanswered today and can only be answered through implementation, especially if early actions that we can take. The big indicators of whether we're doing something different is truly whether we capitalize with enough resources and support community partners to continue to work with us in the long term in an accountable way. It goes back to the community preservation work group proposal. We have a lot more to do. It identifies potential sources but many of those are decisions in the future. Some agency partners can take action on, but some voters will have to in the case of the regional housing bond. This is really a blueprint for our work. To answer the question whether we're doing enough we did measure the actual need in the corridor and then set targets related to that need. At least we know where we're trying to get to, based on current financial constraints and policies in place. Those Shannon will give more detail about. Between Tigard and Portland double the amount of regulated affordable housing in the corridor to about 1600 units. Now, the stretch parts that we created were designed in a totally different way, designed to achieve big policy goals. Those are creating housing choices at each station, each residentially zoned station and preventing displacement where the risk is highest. That's where we came up with the ten by ten goals. Ten stations, ten buildings. Then an equal number of acquisitions where displacement is highest. Leadership from the bureaus are going to give more detail about Portland's targets and work plan for moving into implementation. Shannon.

Shannon Callahan, Interim Director Housing Bureau: Thank you. Good afternoon, commissioners. Shannon Callahan of the Portland housing bureau. The southwest corridor is the culmination of a partnership to address transportation and housing in tandem through the creation of the next right rail line. With careful planning, securing parcels for new development and targeted efforts to prevent displacement and mitigate cultural displacement the strategy aims to achieve equitable growth along the line. In Portland we believe the housing bureau has the means and resources to achieve 300 to 350 new units of affordable housing along the corridor. It will require additional resources. As a city we have learned very hard lessons when we failed to prioritize affordable housing and prevention of displacement when we make our transportation infrastructure investments. The strategy is more than just acknowledging those mistakes. We're actively taking steps and adding resources to realize this plan. As I mentioned, we're prioritizing resources and the assets in the corridor to reach a portion of the target, but new resources again will be required. The impending metro bond is one potential source of new resources as director Branam will discuss so resources from tax increment financing districts. Our partnerships with organizations on the corridor will also be key to our success ensuring that we're

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working with community-based organizations to engage households of color and low-income households is essential. Eric Engstrom will detail our plans regarding the next steps for this partnership. Underpinning all of the work we had planned in the corridor is prevention of residential and cultural displacement. The corridor is an area of rich cultural diversity and we want to work to implement new structure to ensure existing residents will benefit from that. Two specific strategies have been identified. Early acquisition of units through capitalization of land and property acquisition funds and expanded city-wide tenant support including legal support, tenant counseling, landlord training and financial services. We also need to ensure that we're maximizing the development potential for affordable housing along the corridor. With the announcement of the light-rail line and its alignment, available land for sale becomes scarce. The market begins to speculate. Securing land early as you have heard for future development is imperative. A key partner in the implementation of the strategy and the lead agency on the light-rail line TriMet has worked with the housing bureau on a memorandum of understanding to ensure the availability of land to reach the goals and the strategy. We have had a series of extremely productive and collaborative discussions to reach outlines of a memorandum of understanding which will be presented to you with your action next week on the locally preferred alternative. I would like to thank the entire team at TriMet for prioritizing these discussions, their shared commitment with the city of Portland to prioritize affordable housing, ensuring that families of all incomes can benefit from the fast, affordable transit service that will link families to jobs and educational opportunities. I briefly would like to share with you a little bit of the concept behind the developing mou with TriMet. You'll hear momentarily from Dave as well. TriMet will work with the housing bureau to assess parcels required for the development of the light-rail line but are not ultimately needed for operation of the line. They will offer excess property to the housing bureau enough to accommodate six to 700 new units of affordable housing. These sites will be sold at discounted value. The equivalent of the federal portion of the appraised value in accordance with federal transportation authority rules. The city of Portland will in collaboration with TriMet look to maximize development potential on adjacent to other light-rail lines as well as the southwest corridor.

Wheeler: Shannon, could I interrupt you for one moment? I want to make clear that our current understanding with TriMet is that this mou with TriMet to acquire the parcels, it will be executed this week prior to the lpa coming to the Portland city council. Is that correct?

Callahan: Both TriMet and housing bureau have the commitment to bring you all draft terms related to housing with the city of Portland and TriMet with your lpa. The mou has a multitude of other signers besides the city of Portland. There are other regional partners, but we have agreed that we will have language that will be agreed upon before you vote on your locally preferred alternative next week.

Wheeler: I'll thank them again later, but I saw Bernie bottomly here. I thank him and the TriMet crew for working with us and working hard to expedite this. Thank you.

Callahan: Thank you, mayor.

Kimberly Branan, Executive Director Prosper Portland: Good afternoon, mayor, commissioners. I'm Kimberly branan with prosper Portland. You have heard a lot about the critical importance of preserving and increasing affordable housing for residents along the southwest corridor. As commissioner Fritz mentioned we're also mindful of the potential impacts on small local businesses. So as you'll see from this slide we estimate that there are almost 1,000 businesses located within a quarter mile of the corridor whose employees and access to customers stand to benefit from proximity to the transit improvement. There are also approximately 350 businesses whose property could be directly impacted by the light-rail line construction or related property acquisition. Almost 70% of which have fewer than 10 employees who really are small businesses. Over the past four years retail

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vacancy rates in the corridor have consistently been below 5% which suggests that absent new construction and tenancing opportunities businesses that are displaced would have a challenging time finding new places to do business along the corridor. So as a planning effort move forward we will work closely with our partners at metro and trimet, housing bureau and bureau of planning and sustainability to develop tools and strategies to stabilize businesses and provide affordable commercial space as a key part of this project. Next slide, please. One of those funding sources that would provide tools for both affordable housing and affordable commercial space is tax increment finance. As you are all aware, there's a 15% cap on the acres within the city of Portland that can be within a tax increment finance district. As of today there are about 2500 acres that are available within the city of Portland for new or expanded tax increment finance districts under that cap. We have modeled two districts, one at approximately 930 acres, the other at approximately 500 acres to provide you with a sense of the order of magnitude of resources that are available. With the set-aside policy of 45% for affordable housing the larger district as modeled would yield approximately \$54 million for Portland housing bureau for their investments which could fund an estimated 240 affordable housing units. These could also provide resources, the remaining 66 million could provide resources through prosper Portland to provide business loans and grants and investments in affordable commercial space and it could also help support the local match for the light-rail line itself. If 10% of the tax increment finance resources were devoted to the city's share of the local match that would yield approximately \$12 million. Next slide, please. Given these in east Portland that we have heard across districts we are recommending that we reserve 2500 acres for new and expanded tif district in these areas of Portland. This reservation give communities in east Portland and in neighborhood prosperity initiative districts --

Wheeler: I'm sorry. We're having problems again. The crew upstairs has requested that we take a five to ten-minute recess so that they can fix whatever the problem is once and for all. Why don't we -- looks like it's about five-ish minutes to three. Why don't we reconvene about five minutes after 3:00. That will give the crew a chance to work on it. Sorry for the interruption. [recess.]

Wheeler: Folks, we're having some substantial problems with the closed captioning system. The captioning system. And we'll be posting a message for people using the captioning system to let them know that the captioning system will not be functioning for the rest of the meeting but because we have people here ready to provide testimony we're going forward with the meeting and all rebroadcasts of this council session will include the captioning and we apologize to everybody who is inconvenienced by this. For rebroadcast times we'll post those on the mayor's website. Why don't we just leave this up for a minute so people can read it.

Wheeler: That's probably sufficient. Why don't we continue from where we left off.

Branan: Given needs in east Portland as well as the neighborhood prosperity initiative district, we recommend reserving 2500 acres for new and expanded tax increment finance districts in these areas of Portland to provide underserved parts of Portland with the time and space to discuss their priorities and potential expanded use of tax increment finance. When debt in the airport way district is paid off in june of 2020, however, it will free up nearly 890 acres for expanded or new tax increment finance districting including acreage of a potential southwest corridor district. This timing would allow a tif district to be in place well in advance of a new transit project. So we're happy to answer more questions about this and other funding tools and appreciate the opportunity.

Wheeler: Commissioner Fish.

Fish: Thank you very much. One question. Would you remind us under the new -- it's been a while since we created a new urban renewal district. Under the new rules that have

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been worked out, what approval do we need to obtain in order to launch a new urban renewal district?

Branan: Thank you, commissioner. Under the new -- under regulation today we need an affirmative vote of city council. It would go in front of our board for recommendation, in front of the prosper Portland board go to city council for a vote. We have a consult and confer recommendation, so we would go in front of Multnomah county and send information to other jurisdictions, Portland public schools and others to alert them and be providing them with information. My understanding is it is still the case that city council is the sole body that votes.

Fish: Thank you very much.

Saltzman: 20 minutes ago now, I kind of forgot it, you were showing revenue to be raised from urban renewal -- something like 10% of the portion that would go to prosper would be available for the local match which I think is about 12 million and our local match I believe is in the 80, \$90 million range. I'm curious where -- am I right in what I just said first of all?

Branan: I suggested if we put 10% of the entire urban renewal area, similar to what we allocated within the Milwaukie light-rail orange line, about 10% of the district, that that would be about 12 million. If it were 20% of the district then that would be 24 million or so. I just wanted to give an example of the range of resources that would be available for the local match.

Saltzman: I have told you this before, that seems like a low range given there's a need for 80 to \$90 million. Hasn't the city always relied on urban renewal for its share of the match or am I wrong about that?

Branan: It has. The urban has a maximum debt of approximately 300 million. City council allocated about 30 million so about 10% of the over all urban renewal area to the light-rail line. We could go through other examples, but I think it's been an important portion of it. Part of the reason we wanted to be clear about the acreage that's available and the anticipated revenue that could be generated is because it is lower and maximum indebtedness would be lower than in other areas partly because of the way that the tool works after measure 5, and it's also because of revenue sharing but it's also because in a neighborhood that doesn't have a significant amount of high density buildings and where there's not a lot of undeveloped parcels that could be redeveloped for higher purposes we don't anticipate that there will be a significant level of property tax increase although we are counting on at least 3% annually.

Saltzman: The 30 million for the interstate line from interstate urban renewal was that the entirety of the local match or did the city council come up with other sources?

Branan: City council came up with other sources but i'm going to defer -- looking for teresa. She can talk about where the rest of the resources came from.

Saltzman: The point i'm trying to make is it seems like the urban renewal amount being relied upon from urban renewal with a local match is low. That's going to leave -- it's not my problem. It's my colleagues' problem to come up with that match, but it does seem that that is low. We need the project to happen for all the other good things to happen too. Housing opportunities and other things we need the light-rail project to be paid for too.

Branan: Understood. I think we have as bureau directors been holding conversations around the different tools that could be put to bear in addition to tax increment finance. There were a lot of creative resources that were brought to bear for the city's local match on the orange line. There was a local improvement district and other types of things pbot can speak to. In that case as well there was only \$10 million of tax increment finance resources that were applied but I understand completely what you're saying.

Saltzman: Okay. Good.

Branan: Thank you.

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Eric Engstrom, Bureau of Planning and Sustainability: So bps's role in implementation, I'll speak to land use and the work we're doing to talk about the publicly owned land that already exists along the corridor. With the help of metro and their 2040 grant program bps is gearing up to lead stationary planning, a new neighborhood plan for the west Portland town center around the barbur transit center and crossroads. That's going to begin this year. We're also doing work in south Portland near the gibbs station to fine tune in that area. It's important to not only talk about the affordable housing but also market rate targets and growth management aspect of this. On the publicly owned properties we have identified a number of them that already are in public ownership that could have potential for redevelopment on the line and we're exploring scenarios on those sites. One, the ross island bridge head, we understand that both the city of Portland and odot jointly own some land that is under that current highway infrastructure. If the highway was removed, that potentially frees up several acres of land that could be used for redevelopment which could support 300 to 450 housing units in that area.

Fritz: Under the ross island bridge?

Engstrom: Not under the bridge, under the current ramps that connect it to naito parkway through the bridge head project there's several blocks. Also at the barbur transit center, if the transit center has a light-rail stations that causes redevelopment of that site there's the potential if we went vertical with that to put a couple hundred additional units there. Portland community college is interested in development of affordable housing on the sylvania campus, short walk from the 53rd avenue station. The transit improvements make it possible to consider reallocating land from parking into more intensive uses so that's an opportunity. I understand tigard staff also will talk about potential opportunities in tigard as well particularly the tigard transit center as a trimet property, I believe. Spoke earlier and there were questions about the working group that ryan spoke of. What we're trying to do there is we have learned through the research into best practices on this that other cities in this situation have been successful putting together a collaborative group that includes stakeholders like those spoke to earlier as well as governments and private philanthropy and organizing that group into a more formal entity to shadow the development of the light-rail and not only do outreach, continue doing outreach to the community, and doing that deeper implementation directly with the community, also using that as a platform to raise money and marshal private resources. That's been an approach that's worked I believe successfully in both denver and minneapolis, for example. We're trying to learn lessons from some of our peer cities and do more to encourage that kind of private sector and philanthropy collaboration with the city. That's partly why we're seeking seed money to continue this group discussion going and grow that beyond where we have been so far and get it involved in implementation so there's a partner to the city's efforts here and to the efforts of trimet and metro so we can all continue to sit at the table and work those issues through. What was referred to before we do have some committed money from an existing metro grant to put into that and then we have put in a fall budget adjustment request of 50,000 to support that. That's what that was about.

Curren: Nice segue to the next presenters are going to be metro, TriMet and Tigard. Metro is hosting the equitable development strategy process over the next year. They have a much broader table to describe. The hope is this seed money for community preservation work group allows community based organizations to maintain a presence then the bigger discussion of a more collaborative table is answered through the sweds process. That's the back and forth that Portland and metro have had. In our emphasis has been really supporting those community-based organizations.

Fritz: My questions about commercial are going to be answered?

Curren: Coming up now.

Wheeler: Thank you.

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Curren: Joining us is Sean Farley from Tigard, Meryl Wilson from metro and Dave united states worth from TriMet. I thank Sean and Kenny Asher, director of community development and the Tigard council for their partnership and their champion of this work. They have been incredible to work with. I just want to thank them for that partnership. I'm glad this wasn't just a Portland or Tigard thing.

Wheeler: Thanks for being here. We appreciate it.

Sean Farrelly, Project Manager City of Tigard: I'm Sean Farley with the city of Tigard. City of Tigard has really appreciated partnering with the city of Portland and other regional and community partners on developing this coordinated strategy for the entire southwest corridor. Tigard is facing the same housing pressures as Portland and we need to take action so people can afford to continue living in their communities especially if we make this major light-rail investment. Tigard city council acknowledged strategy in July as a tool box of potential tools to address the need for more affordable housing. Even before the strategy was complete Tigard has been taking action. 2017 Tigard voters approved an urban renewal district. Voters have to approve it. The Tigard triangle which is planned to have two southwest corridor light rail stations, our first allocation of tif money in that district was to support affordable housing, community partner for affordable housing project that Rachel mentioned early. That should be breaking ground in a few months. Also, in this area known as the Tigard triangle we have rezoned with very streamlined development code, actually no parking minimums are required in this area. We're also kicking off a metro funded project to figure out how we can implement this urban renewal district in an equitable manner. Other things, as was mentioned earlier in March our city council approved a local sdc exemption for regulated affordable housing for 80% ami and below in Washington county. We're also in the process of developing code update to address the need for missing middle housing, which city of Portland is also working on. Really excited to continue working with our regional partners. Tigard will also be a signatory to this mou with TriMet. Hope to get that signed soon. Agreed to. And we also want to continue participating in community centered coalition to implement the strategy.

Fish: May I ask you a question? You have been kind enough to join us today and be patient. What's the population of Tigard?

Farrelly: Just over 50,000.

Fish: Your city charter requires the vote of the people, not a vote of the council, for creating an urban renewal district?

Farrelly: That's correct.

Fish: What do you estimate is the need in the city of tigard for affordable housing defined as below 80% of ami?

Farrelly: The strategy, you know, we have a goal of 600 to 800 units, but the need is higher than that we realize. Our goal is to get 600 units built in the next ten years, but the need is greater than that.

Fish: To what extent is a shortage of buildable land one of your challenges?

Farrelly: It is a major challenge. We're looking at redevelopment, the tigard triangle area is somewhat underdeveloped. There are different areas of it but there's potential there for redevelopment. We don't have very much vacant land whatsoever. One of our last pieces of vacant land is actually under construction to build 240 units of affordable housing in partnership with Washington county housing department.

Fish: Thank you very much.

Farrelly: Sure.

Malu Wilkerson, Metro Investment Areas Manager: Good afternoon. I'm malu wilkerson from metro. I'm just going to quickly go over what our role has been in this project. I'm not going to talk about the light-rail project because you'll hear about that next week. But at metro our focus has been on leveraging and aligning the investments that we and you and

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other partners make to support our shared goals and get us towards our vision, our 2040 vision of great places across the region for all types of people too be able to live in and enjoy. So, we also acknowledge any major public investment can bring change. Some of that change is welcome to some people and some of the change is not welcome. It's challenging. So that's why one of the reasons why we applied for a grant from the federal transit administration a couple of years ago for equitable development. We wanted to be sure we could pair that, work on equitable development with continued study of the southwest corridor light-rail project. That was also why we were glad that we had the money to be able to provide to Portland and to Tigard for this equitable housing work. We know that you need to take a complete look and investing anywhere causes changes that we want to be sure that we are able to help all people take advantage of those changes. So the overall southwest corridor equitable development strategy as Ryan has implied, it includes actions to support housing choices which really Portland and Tigard have taken the lead on defining what that looks like, and what we have also been focusing on is job creation, small business growth and support, and work force development. Our goal is that we can prepare communities for the changes in opportunities that that light-rail investment can bring to the southwest corridor through a community driven process bringing community members into the decision-making process. This has been an approach we have really been trying to approach at metro. The Powell steering committee was one of our first examples of really bringing community members into the decision-making process and equitable development strategy is another way we're working hard to do that. So we have the equitable development strategy will be defined by next summer. We're working right now very hard to figure out how it can be implemented and keep the group that we have that Ryan has talked about at the table into the future so that keep the voices together with the agencies figuring out how we can create the places we want in the southwest corridor. We also have we allocated about 275,000 of the grant from the federal transit administration for early implementation projects. We're calling them pilot projects. Two are focused on business and work force development. Three are housing and one is to continue the type of work that you heard Pam talk about in terms of bringing new groups to the table and helping them learn how to be involved effectively in our processes. These are going on now and we're excited about them. They are in the middle right now we'll be able to tell you more in another few months. Through our transit-oriented development program that we have at metro where we invest in housing and multifamily development across the region and places that are transit supportive and we're hoping to have an active role in securing land around future light-rail stations in the southwest corridor. We also are hoping to be able to expand our role in housing if the voters approve a regional housing bond next month. If it passes, we'll be working hard with our local partners to invest in their housing priorities and one of those is the southwest corridor equitable housing strategy that is in front of you today. I guess really the last thing that I want to say is that we can't do any of this as one agency alone. It really takes us working collaboratively together to be successful because we bring different perspectives, we're able to bring different voices and different tools to the table. We really appreciate and commend the work your staff, especially Ryan, have done over the last couple of years and getting this equitable housing strategy in front of you today and we're excited to keep working together in the future.

Wheeler: Thank you.

Dave Unsworth, TriMet Director of Project Development & Permitting: I'm Dave Unsworth, I work at TriMet. Thanks for having us here today. I think I would riff off what Malou was saying. We recognize affordable housing is a city and region wide priority. We need to work creatively and aggressively to address that. TriMet is leaning that hard and we're willing to move forward through different methods. One is the memorandum of agreement on affordable housing. As TriMet purchases property for the project where we

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have to stage property when we're done with the property we look to dispose of that. Through the agreement we reached with the city of Portland in principle, an agreement both with city of Portland, metro, Washington county and Tigard to do affordable housing on remnant parcels left over by the project. They essentially outline what Shannon talked about before. We're committing up to -- location for 600 to 700 affordable units. We're willing to write down the value of that to the degree we have allowed to by federal law, returning that back to fta, the principal funder of that. I think we're really excited for that and I'm hopeful along with Shannon that we'll have this executed next week. We have had a meeting with the city of Tigard and Washington county on that earlier this morning. Trimet is already doing this, so on property that we own we are partnering with the city of Portland, nonprofits, in Clackamas county, 495 units that are currently under development on Trimet property. This is extending what we're doing now to what we will do in the future when we build the southwest corridor light-rail line. It builds on our low-income fare, getting people to work improves access to where people can live and work. Trimet and this region Portland has been one of the showcases around the country and internationally how you build light-rail. I think this is a next new model how you build with affordable housing at the same time.

Wheeler: Thank you. Thank you all three of you. We appreciate you being here and appreciate your patience. Commissioner Fritz, did you have a question?

Fritz: When I can see the strategy on preserving affordable commercial?

Wilkerson: We will have an equitable development strategy by next summer. So we'll have pieces of it along the way. What we can do is we can work with your staff to get new information on the equitable development strategy that's on its way sooner if that would be good for you.

Fritz: I think it's a piece that needs to come -- thank you, Trimet, for your partnership on this and the city of Tigard and indeed Metro. It's really great that we're all working together in a much more focused way than perhaps at previous times. That is the other piece I think. Particularly since -- I had not realized the city's rezoning doesn't require commercial in any zone so I'm very concerned if we have only focus on affordable housing we end up making that less livable because we don't have the services that go with it or the jobs that go with businesses.

Wilkerson: If I can just take a minute to talk to you about one of the pilot projects is with Mercy Corps Northwest. They have a program that they are actively working on in Seattle. It's been in place for a while but they have not had it in the Portland region. What their pilot project is working with small business owners particularly small business owners who are disadvantaged in some way, working with them in both developing business plans to be able to weather changes in the community and grow their businesses and they also have a matching fund to match their savings so they are able to invest in their small business locally, and so that is just one of the examples of the types of tools that we're looking at having in place in the southwest corridor.

Fritz: So are you envisioning having a committee of local business owners?

Wilkerson: We would love to see that happen. That is another little component of the pilot project that Mercy Corps Northwest --

Fritz: I would be happy to work with you on suggestions for that because we have thriving small businesses now that don't need any assistance for investments, they just need to not be disrupted and displaced. So similar to in some ways to housing. If you could engage me and my office I would really appreciate that. Thank you.

Fish: Reminds me that we have a partner in venture Portland that represents all our neighborhood business districts. They may be the perfect complement to what you're trying to do in terms of matching you with businesses in the area. You mentioned Mercy Corps. Mercy Corps, though, has piloted a project locally where they allow people in areas

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that are changing quickly, rapidly, to acquire ownership interest in commercial real estate and it's like a rate but it's not a rate. It's above my pay grade in terms of being able to -- I think John Haines is the only person that can explain it but they acquired properties in east Portland. I hope that part of this affordable commercial space strategy looks for opportunities for mercy corps in concert with local residents to acquire ownership stake in some of the mixed use development. Because that I think is the marriage of both a good idea and an opportunity.

Wilkerson: Commissioner Fish, the community investment trust that mercy corps has in east Portland and they are looking at how that could potentially work in the southwest corridor. They are also partnering with venture Portland, so I think we have a lot of those pieces coming together. We don't have a full presentation on it right now to talk to you about but it's very exciting.

Wheeler: Thank you very much. Ryan, I know you're going to give us a primer on what we're voting for before we go to public testimony but I thought given the testimony we just had this would be the appropriate place for me to read the statement from commissioner Eudaly, who wanted to be here today but could not. She asked if I would read the statement on her behalf. With the southwest corridor project Portland has the opportunity to deliver high capacity transit service and safety improvements to one of the most congested parts of our city. In doing so, we can make major strides in achieving our climate goals and provide real transportation access to jobs and opportunity for all Portlanders. It's not often that we get to make such transformative investments and this is truly exciting. At the same time we need to make sure that these investments meet the needs of households of all sizes and incomes that it does not displace existing communities and that the benefits accrue to the people who need them the most. We know that the housing and transportation constitute the majority of average household costs. Improved transportation service is only effective if the benefits are not offset by rising housing costs. That's why it's so important that we have developed the equitable housing strategy and why we need to make sure that we deliver on it. Before adopting the locally preferred alternative we need to be certain that the affordable housing is guaranteed as part of this project. As transportation commissioner I have directed pbOT to complete a signed MOU with TriMet ahead of next week's vote that commits the parties to the acquisition and development of property expressly for affordable housing along the proposed southwest corridor light-rail line. Again, that is from commissioner Eudaly.

Curren: So before you is a resolution. It adopts the housing strategy as binding city policy. It directs city bureaus to work with community-based organizations to report to city council before each budget cycle on the progress and the near-term priorities. It directs city bureaus to bring a financing plan back to city council. It directs bps to conduct stationary planning, and it also directs all bureaus working with metro to advance racial equity through the southwest equitable development strategy and through deployment of a regional bond, should it pass. And so that's the resolution before you. I also want to note that the planning and sustainability commission has been very active in this project, both on housing and light rail, and have put forth letters on both projects, and Andre Boggs is also here to read that letter for you, as normal protocol for a bureau planning practice. Is there time for that to open up before public testimony?

Wheeler: Yeah, why don't we start with that. Thank you. Good afternoon. We'll start with this gentleman and then we'll call them in order.

Fish: Andre, if you actually testify one more time this one you get a special prize.

Andre Baugh, Planning and Sustainability Commission: I am done probably for the year, hopefully. Under the planning and sustainability commissioner, the planning and sustainability commission expresses our cautious optimism and support for the proposal of the southwest corridor strategy, and I'll talk to you about a little bit of our hesitancy as we --

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why that is. The strategy is well researched and designed to address the near-term housing crisis and the long-term housing needs in the corridor. In terms of provincial displacement and gentrification of low-income and people of color. It addresses the needs of the vulnerable and involves those people in their community. And as has been said earlier today, we must not repeat mistakes of the past, and we need our local leaders to champion this work, and really, some of the requests that are being made are about having champions from the community be in the process all the way through. And this is a powerful statement that the letter has, if the city council is not prepared to capitalize its portion of the housing strategy, then we ask that you not adopt the housing strategy. What that would mean is you not build the project. Both promise and not deliver. And I'll get to why we're saying that. First, we're asking you to make investment to the investment fund, the cbo's request fund the community preservation group to make an ongoing into the anti-displacement services make a one-time, multimillion-dollar investment into the general funds of apartment funds acquisition funds. These are all things in the plan. Forming a southwest urban renewal area with strong guard rails against funds being used for anything other than affordable housing until the housing strategy has been fully implemented and the targets met and follow through on developing proposals for new tenant protection. The reason we were skeptical, history around tifs and was pointing to it a little bit in his questions, tifs have been the basis for the city's match. If you look historically, lately, they've been changed, but historically, the tifs, transportation implementation strategy, and Prosper Portland has put forward a strategy that said, no, housing will be funded first and that money may come from transportation. That's a significant shift, and whether or not you fund it that way is going to depend on whether the strategy moves out of the box and whether it's implemented. Funding to fund the community groups and invest in their long-term championship of this program and them being involved in the decision-making is something that is going to take some funding, not only seed money, I think, but probably long-term money to do. And, again, it's funding that has to come from the city council. Funding for anti-displacement activities, that is an activity that the community put forward as a high priority, almost their number one priority. That's something that council recently said, i'm not sure. The community is saying, that's really what we want in this corridor. We have to fund that to make -- to go forward. So our skepticism, a great plan, we love it, we really want to implement it, and we take it -- as has been said before, for how to do equitable means of transportation, but it means that not only you, but future councils, have to live up to the commitment down the road. So that you capitalize the investments that you make today ten years from now. And who is on council and do they remember that their job ten years from now is to capitalize in early investments that are made now to keep affordable housing in the affordable housing portfolio. So it's not only what you're going to do early on, but are we going to, long term, make those investments, hold that portfolio together. And so as the pse, we're hoping that, you know, you make the investments, that you make the commitment, and -- because it's a strong group that has come before you today, before me today, and really expressed that transportation is an equitable development for all of us, just not for the people that have wealth. And we have a great plan to show that. And the pse is supportive in implementing a plan like that, the one today. Thank you.

Fish: Can I just make one --

Wheeler: commissioner Fish?

Fish: So I appreciate you being here on back-to-back days sharing your wisdom and an historical perspective. I wasn't on the council when it adopted the Albina plan, but that's the elephant in the room. It was complicated, lengthy, signed by the who's who, that was superseded by a light rail plan and then market forces took over in ways that were both foreseeable and unforeseeable. So I want to make sure that I understand from your point

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of view how history can be different here. First of all, we are specifically addressing an equitable housing strategy, anticipating there will be market disruptions that displace and gentrify. So that's a plus. Two, it isn't a phone-book-thick plan with mind-numbing complexity. There are very specific components here that are going to be very straightforward for us to determine. Third, you're saying to us, don't go forward unless you're going to fund it. Don't do a bait and switch. And fourth, I think the -- the one area, though, that I would caution us is, if we learn from history, keep the plan relatively straightforward, develop an equitable housing strategy, agree to fund it in a way up front that is iron clad, so there's no new policy choice that comes off -- like light rail did in northeast Portland. Even when we do that, I still think we have to be cognizant of the fact that we can't fully predict market forces. So -- and I -- pretty loud and clear about let's do the history, keep it simple, don't move forward unless you're going to fund it. The only thing I would caution it, despite our best intentions, there could be market forces beyond our control, which at some point said, boy, if we only know a little more, and the like. We don't know where that's going to land. But we can make the commitment as the council to fund it at an agreed-upon level with the community, understanding that it still may not be sufficient. Is that a fair comment?

Baugh: That's a fair comment. And I want to add, the thing that gives me hope, I have probably been critical of this because of all the issues you listed out and are listed in here, but is that the community is really part of the future of this? They've endorsed -- they will be on the ground, working, to produce that future, and talk about their housing and how does it work, and maybe the owners and a lot of different things than before. And the other significant thing is trimet, and you heard Dave say it, they're leaning in around affordable housing. That's significant. I mean, trimet has one goal. Pull the train, get people on it, let's get going. And they get it. They're saying, hey, we need affordable housing to be a successful agency. So you have partners. It's not just the city of Portland. You have Tigard and metro and a lot of people that are getting on board with you. So the market forces are going to come, you can't predict or stop those. But with all the partners, I think you've got a better strategy about how to address them. And it's not just the city of Portland. So I'm encouraged, but I want to, you know, our letter is offering those cautions from that standpoint.

Fish: Thank you very much.

Wheeler: Thank you. We appreciate you being here. Commissioner Fritz.

Fritz: I appreciate your sentiments, and yes, this does need to be funded differently if it's going to be done right. When I read your letter, the planning and sustainability commission's letter several weeks ago, my first thought is, this is a boatload of money. And we heard a few months ago about the after-division strategy and the need for housing there to present the displacement for the bus transit which I think is less attractive than light rail, and yet, we didn't collectively say, by gosh, we have to do this. So did the sustainability board discuss what would be the tradeoff, putting millions of dollars of general fund into this project versus this fund versus continuing to fund the other things that general fund does?

Baugh: Yes. We -- implicit in this is that council not lose sight of east Portland. Division in the housing needs and -- west in Portland. So it's do this, but don't stop or say, it's a tradeoff between if you do this, we don't invest in east Portland, we don't invest in division. We know there's a little bit of pot of money, but it's -- you have to do everything, because if you only do this, what happens to east Portland, what happens to division, and so are we just moving the players around, and so we're saying, keep, keep your eye on the ball in the other areas also.

Fritz: The challenge is, we don't have an infinite amount of money. We don't have more general fund, there have to be tradeoffs. I guess I can't promise to you that, yes, I will do

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what the planning commission suggested, because it's always going to be what's available and what's the most crucial place to invest it. And also, I do think we need to invest in this, because, unlike the orange line, I was on the council for, where we knew this was coming and we didn't know what was called for here, and lo and behold, we again have displacements in affordable housing. So that's learned from the recent past as well as the far past.

Baugh: Thank you.

Fritz: Thank you.

Wheeler: Very good. Thank you for your testimony. Karla, how many people do we have signed up for public testimony?

Karla: Three.

Wheeler: Three very patient people. Three minutes each. Name for the record and you know the drill, the microphones slide around about six inches. About 30 second before your time is up, the yellow light will flash, and when your time is up, the red light will flash. Sir, go ahead and start for us. Thank you for being here.

John Gibbon: My name is John Gibbon. I'm speaking on my own behalf today. I am first vice president of Sweeney after a long year as president of Sweeney. And the person designated to follow the southwest corridor project for Sweeney. And I guess I would take it from another skeptical point of view. I understand and appreciate what Commissioner Fish -- or Fritz has said about our shared southwest area. We've got a lot of lack of infrastructure. We've got storm water issues that are huge in relationship to the area that I'm most familiar with where I got on Trimet today to ride downtown here at the crossroads. There's still a big issue to be decided there. And when I spoke to Trimet last week and urged them to support the preferred line, I also told them that, you know, we had -- we're glad you're coming to the crossroads, but understand, the crossroads is going to be probably the greatest technical challenge, geographic challenge, that they've ever put in their light rail system. And the alternatives we have right now are not great alternatives. Trimet last week did decide to back off a little bit on their support for the Taylor's Ferry alternative and make it still on the table, but not their preferred alternative for crossing at the crossroads. That just enhanced my statement to them that they needed to do a stakeholder committee with the neighborhoods and with all the communities that you've heard from today on that issue. Because we -- you know, walking here today, I walked a mile to get to the crossroads transit station. I walked probably a quarter of that, maybe, on streets with sidewalks, and that's only sidewalks on one side of the street. And the rest of it was either on private paths or on some streets that are very wide and very usable for walking. But there are limits in southwest that people need to understand as -- I guess I'll finish with one story. Former Mayor Hales, when he was up there talking with me four years ago, five years ago now was patting himself on the back because he got a retention pond put in front of the one of the businesses and he said that was one of the first time that the city of Portland ever put on a detention pond and those are the kind of things we need more of to make this project work. And so we're going to have some big budget issues to face. Still, you should do this because it gives us some more resources to address those issues with. Thank you.

Wheeler: Thank you, sir. We appreciate your being here. Welcome. In the microphone is moved, too. They just slide around. There you go.

Layla Omar: My name is Leila Moore.

Fish: Can you put it closer? A little bit further down.

Wheeler: There you go. Thank you.

Layla Omar: Sorry. Hi, my name is Leila Moore. I've been living in Portland I think about 17 years. We do -- from Africa to Dallas, Dallas to Minnesota, Minnesota to Portland, Portland to southwest Portland. When I moved to southwest Portland -- I would appreciate you guys

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considering helping us with low-income housing in southwest Portland. We -- we have a problem also in southwest Portland with the management of the apartment and the -- my mom used to do that, which was -- that is -- maybe ten years, but the manager keeps -- the manager -- the manager was -- my mom and my other people that lived there, the places that -- ways that we could walk, ways that we could talk -- so the smell and all that stuff, which was very racist because it's our culture. We cannot leave our culture, the way we talk. One of the things that happened was one of the older seniors that lived in the apartments, he was going to the mosque and -- from the apartments, there was -- they didn't have a stop sign, you have to walk, and with the -- the middle, like, it was around 7:00, it was dark, and a car hit him. He got hit by a car, and took him to the hospital, and the neighborhood, our community, they -- they would go visit him in the middle of the night. Daytime, nighttime. So the managers got that -- there's people living in those apartments, more than him and her, him and his wife. But the manager thought there were a lot of people coming back in and out, that she said there were -- asking the tenants who lives there and who -- assumed that a lot of people lived there she gets -- 72-hour notice to get evicted because there's people coming back and forth. And then -- it was really challenging, especially those apartments, we are -- really challenging, landlords to those apartments, and trying to invest, buy a building in an area, I think that place would be very convenient, very good for our community, because that's where we go to marquam. I went to high school, and pcc and get the area, the complex, we really appreciate it.

Wheeler: Very good. Thank you for being here. We appreciate it. Good afternoon.

Amina Omar: Good afternoon. I have a similar story to what Lena just said, my cousin moved from Kenya to Portland two years ago and the first year living in that apartment, the stove top was not working well, so they called the maintenance to the manager, and then the manager -- at the same time, the manager came up with a demand and cut the wife cooking, took a picture, without asking her if it was okay, and took the photos to the landlord and told the landlord why the reason the stove was not working, she cooks a lot. And maintenance saw the whole thing, why she did that. But these people, they took a lot, they have a lot of family, it's all cultural, like Leila was saying. And some people live in that community, it's the loudone apartments, it's very convenient for a lot of folks in our area, the older men who can just walk to the mosque. He doesn't drive like my cousin, my cousin who got put through that, he got 72-hour notice to get evicted from his apartment and he was just moved to this country, he didn't speak English or anything, didn't have any money, trying to help him out, and I think the owner of the place just kind of came through and look at the place, and this place is maintained, it's totally well taken care of, so she didn't -- so the two got fired right away, immediately, but my cousin still lives there in that apartment. It's the best place to be, I think.

Wheeler: Thank you for sharing with us.

Fritz: You'll be interested to know the department of transportation has plans to improve and put lights.

Omar: Yeah. We had so many incidents on that road, and -- the metro -- the mosque, and walk through that -- that place, and -- I don't know if you know some of that area, it's -- the cars don't stop, even though there's a stop sign.

Fritz: Yeah, I think it's dangerous when they have those crossroads without the light.

Gibbon: Some of that naturally-occurring affordable housing along the capital highway corridor, if you travel it very often like I have for years, you know that they're some of the biggest contributors to some of the storm water, some of the maintenance that hasn't been done on those buildings has been on those storm drainage systems and it contributes to the problems that they're dealing with. Thank you.

Wheeler: Thank you, all three of you. Karla, is there anybody else signed up?

Karla: That's all.

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Wheeler: Colleagues, did you have more questions for staff or go right to the roll? Right to the roll. Karla, please call the roll on the resolution.

Fritz: I appreciate all the partners, and thank you for taking the time to be here. I know you're going to keep involved because it's our neighborhood and that you want it to develop and be a prosperous neighborhood for everybody so list and works near there. I do feel slightly more comfortable about the working part and the commercial and I look forward to being involved and so what I can do as a neighbor of this area. Thank you, everybody. Aye.

Fish: It's a great hearing. Thank you for spending the time with us this afternoon. This is a solid framework. It's going to take new resources to fund out what we want to do, which is why i'm spending, along with a number of people in this room, trying to shepherd 102 and 26199 to a successful conclusion. The reasonable housing bond, if adopted by the voters, would include over \$250 million of additional resources in Multnomah county, which would be very useful, as we try to finance the southwest corridor plan. I appreciate that we're trying to learn from the mistakes of the past, and I appreciate those who have come forward to share their stories to remind us that we can repeat the mistakes of the past unless we're very careful, and I hope to be on this council for a long time, and long enough so that we can -- we can celebrate some wins of doing things differently and really getting this transportation and affordable housing nexus right, because as was earlier noted, the principal cost that households are now incurring is a rent-transportation cost, and i'm encouraged by the work that's been done and I look forward to future presentations. Thank you. Thank you, mayor. Aye.

Wheeler: I want to thank everybody who testified today and all of our partners. I want to thank trimet for working with sustainability and the housing bureau and prosper Portland for how we do the dual goals of housing and transportation. I know a lot of effort went into bringing this forward together, and I look forward to seeing the final agreement between the city and trimet sometime next week. While Portland and our partners work very diligently to prevent displacement together, we make sure we're building the affordable housing in the space to help Portlanders thrive. And last, but not least, I want to say this is a very important initiative because it intentionally brings the transportation and the workforce in affordable housing piece together, and as commissioner Fish noted, there are also issues on the november ballot that can help further this process, and I would encourage people, if they look at their ballots, to do so very carefully with the intention of supporting any measure that could help us move forward with this affordable housing obligation. So thank you. I vote aye. The resolution is adopted, and we are adjourned.

Council adjourned at 4:15 pm