



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **6th DAY OF MARCH, 2019** AT 9:30 A.M.

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

OFFICERS IN ATTENDANCE: Keelan McClymont, Acting Clerk of the Council; Robert Taylor, Chief Deputy City Attorney; and Chris Alvarez and John Paolazzi, Sergeants at Arms.

On a Y-4 roll call, the Consent Agenda was adopted.

COMMUNICATIONS		
189	Request of Jason Renaud to address Council regarding the potential of recovery from mental illness (Communication)	PLACED ON FILE
190	Request of Lightning Super Humanity to address Council regarding Ai - Lightnings new form of city government (Communication)	PLACED ON FILE
191	Request of Charles BridgecrAne Johnson to address Council regarding beware the ides of Women's History Month, moon of the war god, #BlackLivesMatter (Communication)	PLACED ON FILE
192	Request of Craig Rogers to address Council regarding trust and local government (Communication)	PLACED ON FILE
193	Request of Melanie Plaut to address Council regarding expansion of oil train infrastructure in Portland - Zenith terminal (Communication)	PLACED ON FILE
TIMES CERTAIN		
194	TIME CERTAIN: 9:45 AM – Proclaim March 2019 to be Womxn's History Month (Proclamation introduced by Mayor Wheeler) 30 minutes requested	PLACED ON FILE
*195	TIME CERTAIN: 10:15 AM – Transfer functions and staff from the Auditor Assessment, Finance and Foreclosure Division to the Bureau of Revenue of Financial Services' Revenue Division and designate the Revenue Division as the recorder for purposes of the City lien docket and financing local improvements (Previous Agenda 143; Ordinance introduced by Auditor Hull Caballero; amend various Code Sections and Administrative Rules) 20 minutes requested (Y-4)	189413

CONSENT AGENDA – NO DISCUSSION		
Mayor Ted Wheeler		
196	Reappoint Dunetchka Otero-Serrano and Frieda Christopher to the Community Budget Advisory Board for terms to expire December 31, 2021 (Report) (Y-4)	CONFIRMED
197	Reappoint Linda Bauer to the Portland Adjustment Committee for a term to expire March 3, 2023 (Report) (Y-4)	CONFIRMED
Bureau of Planning & Sustainability		
198	Consent to the transfer of Lehl Garbage, Inc. dba Lehl Disposal residential solid waste, recycling and composting collection franchise to Heiberg Garbage & Recycling LLC (Ordinance)	PASSED TO SECOND READING MARCH 13, 2019 AT 9:30 AM
Office of Management and Finance		
*199	Correct the salary grade of the nonrepresented classification of Occupational Health Specialist (Previous Agenda 144) (Y-4)	189405
*200	Pay property damage claim of Main Street Development, Inc. in the sum of \$24,143 involving the Portland Bureau of Development Services (Previous Agenda 145) (Y-4)	189406
Portland Housing Bureau		
*201	Amend subrecipient contract with Housing Development Center, Inc. by \$54,100 for a total of \$151,100 to support the Risk Mitigation Pool program (Previous Agenda 146; amend Contract No. 32001821) (Y-4)	189407
Commissioner Amanda Fritz		
Water Bureau		
202	Amend contract with Titan Utilities, LLC for the Headworks Septic System Replacement Project in the amount of \$23,213 and accept contract as complete, release retainage and authorize final payment (Second Reading Agenda 169; amend Contract No. 30005996) (Y-4)	189408
Commissioner Nick Fish		
Bureau of Environmental Services		
*203	Authorize the Bureau of Environmental Services to reimburse the property owner at 5936 NE 32nd Place for sewer user fees paid to the City in the amount of \$2,931 (Ordinance) (Y-4)	189409

<p>204</p>	<p>Reauthorize agreements with the Confluence Environmental Center to support the goals of the Portland Watershed Management Plan for an annual aggregate amount not to exceed \$30,000 (Second Reading Agenda 170) (Y-4)</p>	<p>189410</p>
<p>Commissioner Chloe Eudaly</p> <p>Bureau of Transportation</p>		
<p>205</p>	<p>Declare intent to terminate local improvement district formation proceedings to construct street, sidewalk, and stormwater improvements in the SW 47th Ave and Brugger St Local Improvement District (Resolution; C-10066) (Y-4)</p>	<p>37416</p>
<p>206</p>	<p>Adopt findings of City Engineer regarding the appeal of Kyle Bell against the Portland Bureau of Transportation posting property at 2370 SE 60th for sidewalk repairs (Ordinance)</p>	<p>PASSED TO SECOND READING MARCH 13, 2019 AT 9:30 AM</p>
<p>207</p>	<p>Accept a grant in the amount of \$1,512,962 from Oregon Department of Transportation and authorize an Intergovernmental Agreement for 3469 - 3481 NW Thurman St project (Second Reading Agenda 176) (Y-4)</p>	<p>189411</p>
<p>Office of Community & Civic Life</p>		
<p>208</p>	<p>Authorize grant agreement of \$10,000 for East Portland Neighbors, Inc. to provide liability insurance coverage for meetings and events to engage East Portland residents in community building and civic engagement activities (Second Reading Agenda 177) (Y-4)</p>	<p>189412</p>
<p>REGULAR AGENDA</p> <p>Mayor Ted Wheeler</p>		
<p>209</p>	<p>Appoint Andrea Paluso to the Community Budget Advisory Board for a term to expire December 31, 2021 (Report) 10 minutes requested Motion to accept the report: Moved by Fritz and seconded by Eudaly. (Y-4)</p>	<p>CONFIRMED</p>
<p>210</p>	<p>Appoint Sean Green to the Development Review Advisory Committee for a term to expire March 5, 2022 (Report) 10 minutes requested Motion to accept the report: Moved by Fish and seconded by Fritz. (Y-4)</p>	<p>CONFIRMED</p>
<p>Office of Management and Finance</p>		

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*211	Amend contracts with VanderHouwen & Associates, Inc. and Triad Technology Group for staff augmentation in the amount of \$2.5 million each (Ordinance; amend Contract Nos. 31000694 and 31000697) 10 minutes requested (Y-4)	189414
Commissioner Jo Ann Hardesty Portland Fire & Rescue		RESCHEDULED TO MARCH 13, 2019 AT 9:30 AM
212	Authorize Portland Fire & Rescue to charge a fee-for-service for cost recovery of non-emergent lift assist responses to Oregon state licensed commercial assisted living, residential care and nursing facilities within the City (Second Reading Agenda 171)	
City Auditor Mary Hull Caballero		189415
213	Assess property for sidewalk repair for the Portland Bureau of Transportation (Second Reading Agenda 188; Hearing; Y1098) (Y-4)	

At 11:02 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **6th DAY OF MARCH, 2019** AT 2:00 P.M.

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

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

<p>214 TIME CERTAIN: 2:00 PM – Amend Title 33 to update the Neighborhood Contact regulations (Ordinance introduced by Mayor Wheeler; amend Title 33) 1.5 hours requested</p> <p>Motion to amend 33.705.020.B.4.d and add e:</p> <p>d. Be open to the public; and</p> <p>e. Be in a location that provides equitable access to all members of the public. Accessibility includes: providing language services, removing barriers, providing modifications, accommodations, alternative formats, auxiliary aids, or other services that ensure access, upon request 3 days prior to the meeting: Moved by Fritz and seconded by Wheeler. Vote not called.</p> <p>Motion to amend 33.705.020.B.4.c to change Saturday or Sunday hours to between 1 p.m. and 6 p.m.: Moved by Fritz and seconded by Wheeler. Vote not called.</p>	<p>CONTINUED TO APRIL 11, 2019 AT 2:00 PM TIME CERTAIN</p>
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At 3:33 p.m., Council adjourned.

<p>DUE TO LACK OF AGENDA THERE WAS NO 2:00 PM MEETING THURSDAY, MARCH 7, 2019</p>	
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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.

March 6, 2019 9:30 a.m.

Fritz: Here. **Fish:** Here. **Eudaly:** Here. **Wheeler:** Here.

Wheeler: If we could get legal counsel to read the rules of the decorum.

Robert, City Attorney: Welcome to the city council. The city council meets to do city's business. The presiding officer preserves order and decorum during the city council meetings so everyone can feel welcomed, comfortable, respected and safe. To participate in the 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 and 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 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, would like to show your support for something 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 a thumb's down. Please remain seated in council chambers unless exiting. If you are filming the proceedings, please do not use bright lights or disrupt the meeting, 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 rejected for the remainder of the meeting. After being rejected 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: Thanks, and if you would like to testify, the sign-up sheets are in the hallway or you can see the council clerk. First up is the communications agenda. Karla, please read the first item. Or kelan is doing the reading today, fabulous. Is this your first time doing this?

McClymont: Yes.

Wheeler: Excellent, great, good.

McClymont: Thank you.

Wheeler: Thanks.

Eudaly: I hope Karla is not getting any ideas about leaving us. Welcome.

McClymont: Thank you.

Item 189.

Wheeler: Welcome, and if you could state your name for the record, please.

Jason Renaud: I am Jason Renaud with the mental health association of Portland. Thank you for allowing me to speak. Since 2006 the year James Chasse was beaten by Portland police officers, the city of Portland has failed to eliminate the routine harm done by police to people with mental illness. Mostly who fail to understand the solution. He was not the first or the last. In 2006 the Portland police bureau killed three people. In 2007 they killed two. In 2008 just one. 2010 made up for 2009, with five. And in 2011 there was one person killed by police, and in 2012, 2013, 2014 each had two and 2015 had three, 2016 had one,

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2017 two, 2018 three. That's 27 people over a dozen years, and this is important, every one of them was in a mental health crisis of some sort. Andre Gladen's death in 2019 was typical. An African-American man with bi-polar disorder ill and in need of compassion and medical services. A homeowner called to 9-1-1, brought in a police officer who predictably escalated the situation and within moments killed Mr. Gladen. Since 2006, the strategy selected by this council to end the problem was more training. But, as it turns out, training, and that was done, the more training didn't solve the problem of people getting killed, it's good in its own right, but a basic misunderstanding of the solution. The solution is to uninvolve the police officers from people with mental illness and crisis. Separate them, get them as far from each other as possible. This is a vastly more complicated task than providing training, requiring inter-disciplinary cooperation across multiple governments. In the dozen years since James Chasse was killed the work to reduce contacts between officers and people with mental health illness has not begun. The state invited the department of justice to wield law enforcement to people with mental illness. This turns out to have been a grievous error. It's the elimination of mental illness and addiction crisis which will reduce the number of persons killed by police. We can stop this, but the work needs to be done before police arrive, not so much after. With this council as individuals and as a collective voice can do is to learn and talk about the power and potential of recovery from these illnesses, and recovery is the least expensive and most effective way to reduce use of force by police. I wish that Andre Gladen had a chance to recover from his bipolar disorder, it's a complicated illness where a night without sleep or a day without food or stressful event can cause a crisis. Gladen needed help, not a fight. He needed it a long time before he was killed by a Portland police officer. Thank you.

Wheeler: Thank you. And could I also comment on this, Jason? First of all, thank you for being here and thank you for sharing your message with the council. I agree with you. The key here is to reduce the interactions between the police and people in crisis on the streets, and more importantly, the police agree with you. You have heard Darrell Turner from the Portland Police Association say this. You have heard Chief Outlaw say this, and me in my capacity as the police commissioner say this. I am particularly in agreement with your statement that we need to work on an inter-disciplinary basis. Right now, the way the system is set up is if somebody sees somebody in crisis, you know, they are well meaning and they want that individual to get help, they call 9-1-1. 9-1-1 in our community then turns to the police. What you get is a cop with a gun who is trained in law enforcement tactics and techniques. And many of our police, while they are trained, especially to deal with people in crisis, not all of them are. And therefore we need what other communities have, which is informed people in the call center who then call somebody other than the police people who are trained either in substance abuse or mental health or EMTs or all of the above who go out and assess the situation and see if they can stabilize it, and then if necessary or if there is an escalation or a threat to public safety, then the police are called in. That's a model that we are actively looking at. We are talking to the county, we are talking to the health department, we are talking to the police and the fire bureau and the bureau of emergency communications, our colleagues up here. I am eager to move very quickly on this. You will not be surprised to hear that there will be some pushback because it does require inter-disciplinary efforts. It requires organizations that are doing outreach, crisis outreach to work with us or come under a common umbrella, or at least from some communications that enables us to prioritize calls going to service providers, so there is going to be a lot of work that needs to happen in this community, and a lot of leadership provided in order to move us into a better direction, and you've been at this for many, many years, and I respect you for that. And I hope that you will work with us and help us as we try to realize the model that you are describing here today.

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Renaud: I am so glad you got to Eugene to see the Kahutz model, that's an excellent model to emulate up here in Multnomah County and in Portland.

Wheeler: What makes it difficult is we have bits and pieces of it in place with established service providers, and of course, the hospitals play a role in this, the mental health system plays a role in this. The substance abuse and treatment system play a role. We, actually, have to rethink how we're organized and structured and how we communicate amongst ourselves. That's going to require some substantial lifting. I know that your substantial leadership and credibility and clout in this area is going to be important in helping us to get it done.

Renaud: Eager to help.

Wheeler: Thank you, sir. Appreciate you being here. Commissioner Hardesty -- Eudaly.

Eudaly: I will play Commissioner Hardesty today. No, a clarifying question, we need a policy change because isn't it policy that we summon the police when someone calls?

Wheeler: That's correct.

Eudaly: I don't want to leave the public with our call center operators are not reaching out.

Wheeler: Yes, the structure. It is 9 structure and policy, and thank you for that clarification.

Eudaly: And I agree and support Mr. Jason Renaud's proposal.

Wheeler: Very good. Thank you for being here today, Jason.

Renaud: Thanks so much.

Wheeler: Thank you. Next item, please.

Item 190.

Wheeler: Good morning. Please state your name for the record.

Lightning Super Humanity: Yes, I will do two minutes of verbal communication and one minute of video. Yes, my name is Lightning, I represent Lightning Super Humanity. The science, of making machines smart. What we have to begin to do, from my position I want to start looking at A.I. Politicians. I want to be able to vote for an A.I. Politician. I want to create a form of government to where we will have more of a direct democracy to where on every item on the agenda we can have solutions created and then vote by smart-phone and determine the final decision. I want to have an understanding that the humanity must be put at the top here. Safety and digital ethics must be taken serious. And again, from my position, we need to begin to simulate these machines into the city council throughout the county, throughout the city, throughout the United States. We must become enhanced by the machine, work with the machine, and understand if we do not, it can end up being the greatest threat to humanity. We are willing to step forward with the tech companies and work alongside of them. Understand what they are trying to create. Understand this could be the last, greatest invention to humanity, and understand we want to be part of this to make sure that things are set into place to prevent anything negative but only create A.I. for positive good. That is my position, and again, I want to have an understanding. Invest in the A.I. Researcher and begin to understand them and what they want to create in the same manner that they are beginning to understand and how they are going to create the machine. Karla, please?

Video: We are keeping humanity alive, and not putting machines inside of everything. That's a great opportunity for companies to say they care.

Fritz: Excuse me, is this captioned?

Video: What is your ethics as far as technology is concerned and how do you value humans in the sense of technology and how do you keep things human? This is becoming a key question because keeping things human has to do with trust. The humans are based on engagement, relationships, and humans are not living off of the data pipeline. It's much more about relationships, so this is a key opportunity for companies using great technology but putting humanity on top and letting human things flourish rather than squash them with automation. It's quite clear if we don't have a normal compass in the value system,

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eventually with this connect and everything falls apart because we have lost our purpose, right. The bottom line is our technology has no ethics, but society and humans depend on it. What we see in technology is the primary conversation is about how much does it cost and can we do this and does it actually work and engineering kind of thinking, right. But in the near future we are going to clearly solve those issues like connectivity, broadband, computing, intelligence machines. We are only a few years away from that question to shift from if and how to why and who. That shifts the whole thing.

Wheeler: Appreciate. Could you please read the next item?

Item 191.

Charles Bridgecrane Johnson: Good morning, commissioners. Charles bridgecrane johnson. It's a beautiful day in cascadia but warm enough in here that I don't think that we need this. So we have heard mr. Jason renaud talk about people in mental health crisis and a number of them end up dead. We have heard lightning's presentation touched on the need to really work with the data and even though we occasionally publish some, I don't know, I don't know if it's really progress to say that a new homeless shelter is opening up. Occasionally the transition projects, the main subcontractor for the joint office of the homeless services will do their instagram or social media post that says you know, I don't know if they did it in the last couple days because here with march coming in like a lion, two of the first days of march, the whether was so severe that we had the emergency shelter open so they would say the number of people they sheltered and talk about the four people that transitioned into housing, and but that really should not be spoken of as an accomplishment, necessarily, because what we have is a housing system where there's been almost zero growth, and so when we say somebody was put into housing what, we know is that another person either lost their housing or lost their life. And for the years of the homeless and the housing emergency crisis, we have bantered about the numbers from the point in time count, but we have never publicly brought forth the funded parties and worked with the real data. The city and the county fund through a major fortune 500 corporation information service products sometimes called hmis, sometimes called service point. What service point really would do, or does, except we don't ask it what it is doing, is it tells us that there are people who have chronic homelessness for two, four, six, eight, ten years, and that we intend to extend it for an equal length of time instead of developing methods to better engage with those people and end their chronic homelessness. That, of course, gets to the point of making homes. It's unfortunate that we are coming up on six months since the good people of this county have passed a bond across the metro region. And I don't think that you could find any ordinary people who feel that they have been engaged in that process. We have some nice blips on the radar in the horizon. Psu's funding for homeless studies. But I think that the answer is with the community, it needs to be more public engagement and honest talk about past mistakes or where we did not make enough traction. Thank you very much.

Wheeler: Thank you. If you could please read the next item.

Item 192.

Wheeler: Good morning. Please state your name for the record.

Craig Rogers: My name is craig rogers. My intention of being here this morning is to support the city club report and vote in the structure of our current city council needs to change. And I go back 20 years or more of watching and rubbing shoulders with things that happened down here. One of the most recent things in november 2016 was the community survey that showed historic lows and it just hasn't gotten any better since this. I know from my own experience in this city, so I need to go back a ways. Here's the examiner back in 1996, and this is something that I really have gotten involved with. Park bureau sacrifices trees. July letter concerning the plant cutting of 75 dozen fir trees is closer than the Portland parks director jordan admits. There was such a plan that passed

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with the parks bureau top brats and urban forester commission, the trees were marked for cutting and a traditional use. That was a serious issue and I got involved. I went down there and they had a red x on them. I will not go into why they were going to be cut down. 75 dozen fir trees. The commissioner said it's too dark in there. There is disease. Trillium was growing up out of the ground and it needs shade and the trees were not diseased. We had a forester on our side. So that was all thorny, you know. The new structures you would be held more accountable and would be easier to vote you in or vote you out, which really raises the standard that you add here to while you are in office. So I totally endorse the city club. Now, during the street fee, my Portland rose is so bad, the city council, you know, I went to the sustainability thing at the Elliott Center and I thought what the heck. There is a steep learning curve. I had my eyes open because Mayor Hales leans into the mic, and there is a room full of 100 emerging local government leaders. See, it's in the political DNA, and he says, you know how you deal with the public, you give them choices. And you know what that is, it's a shell game. You don't win a shell game. So then we go into the roads, and here's Macalluh research, and the commissioner wouldn't release the data of how they were going to tax people so we had to go to court, and the data showed that the biggest employer in the city of Portland was a Calonics clinic with over 30,000 employees. So, believe me, I could sit down here for three months and tell you the things that the city has failed on, and they will make -- I started laughing at home, you know, just thinking about some of this stuff.

Wheeler: Thank you for coming in.

Rogers: You are welcome.

Wheeler: Next individual, please.

Item 193.

Melanie Plaut: Good morning, mayor, commissioners, my name is Melanie Plaut, I am a retired physician and working with groups to look at climate change. I want to express my deep gratitude for the council's strong stance on the climate and on the safety of the community. As you know work done by this body has been considered a national model for other jurisdictions. In November of 2015, the council adopted the oil train resolution, which is number 37164. To paraphrase only slightly the last line reads, "it is binding city policy to oppose all projects that would increase the amount of crude oil being transported by rail through the city of Portland." Portland, we have a problem. At the old logistics site in northwest Portland, the new owners, Zenith Energy, have converted a prior asphalt terminal into a facility which for the past year has been accepting rail car after rail car of tar sands oil from Alberta, Canada, and loading it on ships for export. It gets worse. In the last few months they have started to expand their infrastructure and enabling them to unload more oil obtained by one of the dirtiest methods of extraction on the planet. This is a triple environmental and justice disaster. First, a disaster for our climate as you well know. Second, a disaster for the First Nation's people of Alberta, and the ecological ballache of their land to extract tar sands, trees and topsoil are removed from hundreds of square miles, and the tar sands are scraped up with enormous shovels. Third, it is a disaster for Portland, a true health and safety emergency. I won't go into details but I refer you to the Multnomah County briefing on oil by rail from 2016. If tar sands were to spill into our river, there would be serious trouble. This type of rail, this type of oil is heavy and tends to sink making cleanup very difficult. A tar sands spill in Kalamazoo, Michigan cost a billion dollars and took five years to clean up. Clearly this activity violates the spirit of the laws passed by this body as well as common sense. I urge you to use your authority to put an immediate halt to the expansion of this facility and to the export of tar sands through our city. Our city and this council do not want to be accomplices to this crime. The original permits for this facility and for the expansion were for moving asphalt. Oil trains pose different risks, and ought not to be covered under the same permit. There should be an immediate halt to this

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work until a thorough review can be done. Thank you for standing with us on issues like this, and I am willing to try to answer any questions you might have.

Wheeler: Melanie, first of all, thank you for coming in and testifying. I want to assure you when I heard that this news broke, it was extremely concerning to me. This is not a value that I espouse. This is not the kind of business development that the city of Portland should support. The number of jobs created by this, by the way, are about the same as a starbucks outlet would create, but the environmental and public health risk is substantial, and we saw this happen a year and a half ago in Moser, Oregon, where a 96-car oil train derailed and created both an environmental and public health catastrophe. So legal issues aside for the moment, I want to assure you that my team and I are doing everything that we can to stop this expansion. We are focusing, instead on renewable energy, resources, and we are focusing instead on green energy. We are not interested in expanding fossil fuels of this nature. The tar sands issue, serving as an exporter of tar sands coming from potentially Canada, I don't think that that's what anybody has in mind as a vision for a healthy economy for the city of Portland. It certainly is not what we want in terms of public health or the safety of our environment. So we will continue to do everything that we can to limit this expansion or get rid of it all together. That's my pledge to you.

Plaut: Great, thanks for doing everything that you can to do that.

Wheeler: And I will look forward to working with you and others. Okay. Thank you. That concludes the communications for today. Has any item been pulled off the consent agenda?

McClymont: No.

Wheeler: Please call the roll.

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

Wheeler: Aye. The consent agenda has been adopted. First time certain item, please, item 194.

Item 194.

Wheeler: Very good, I would like to introduce Karen Brooks. Good morning, thank you for being here.

Karen Brooks, Portland Fire and Rescue: Hi, Mayor, and Commissioners. I am Karen Brooks. My pronouns are she, her. I work at Portland Fire and Rescue, and I am on the leadership team for the city's LGBTQ Affinity Group. I was asked to introduce this year's Women's History Month presentation because the organizers from the Women's Empowerment Affinity Group consulted with the LGBTQ group on ways to expand our definitions of gender and how we may focus on intersectionality. So today you get me, just your average Jewish lesbian Portlander with a taste for a nice blazer. Shalom. [laughter] While there is much to bind women together this identity can intersect as seen above with race, ethnicity, national origin, ability, disability, and religion, sexual orientation, gender presentation and so much more. This year's Women's History Month theme is Agents of Equity, Women and Gender Non-Conforming Voices in Action. The Women's Empowerment Group made an effort to expand the conversations that we have about gender and to promote inclusion and understanding. Every year the Women's Empowerment Affinity Group collaborates with bureaus and other groups to provide diverse and inclusive events to celebrate women's achievements in our communities. The events are created and run by volunteer City of Portland employees. It is critical to acknowledge and lift up the ways in which our experiences vary with each identity that we hold. Our identities do not exist independently of each other, and that's why it's so meaningful that the Women's Empowerment Group reach out to the LGBTQ group and others in the community to plan their events. There is a full calendar of events this month, and we encourage participation from our Council members and the community. A few activities include the Ninth Annual Wonder Woman Awards, Harassment Bystander Training, a panel discussion about women and non-

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office jobs featuring a firefighter, and an even about how to talk to kids about gender fluidity and a film about gender pay gaps and much more. This could not happen without the time and resources offered by volunteers, the diverse empowered employees of Portland also known as deep and our bureaus. Thank you very much for supporting our affinity groups. If I might don a more official hat, I would like to let you know that Portland fire and rescue is hiring and taking applications for entry level firefighters until march 11. This is considered a non-traditional job for women, but there is no reason for it to be put in that category. I would trust any of the female firefighters to drag me out of a burning building and that's no easy task. We have a free summer camp for women 16-20 interested in gaining experience in firefighting, and that application period is also open. And I am going to have these information cards. I will give them to Karla. If you would like any for your office. Now, I am pleased to introduce our agents of equity speakers. First we have joy aleece davis, the executive director of the Portland african-american leadership forum, and she will be discussing her photo project, albina queens. It will be showcased this month at the old church. The exhibit information is on the women's history month calendar, and there is an event this month where we will walk over and view the exhibit. I have seen this work and am happy to say some of our amazing city employees, city of Portland employees are featured. It's really great. And our seconds speaker is shannon scott. A board member of human, the human rights campaign, which is the largest national lgbtq civil rights organization. She's a combat veteran of the air force and the founder of united equality consulting, an organization focused on helping companies support their transgender employees. And our third speaker is courtney duke. You will recognize courtney as a senior planner for from pbot, been in front of city council many times. Today she will, representing the great worker of the city of Portland women empowerment affinity group and pdx city mamas. We will start with joy.

Joy Elise Davis, Executive Director Portland African American Leadership: Thank you. Again my name is joy aleece davis, the executive director of the Portland african-american leadership forum, better known as palf. Our mission is to help the black community imagine the opportunities we deserve and build our leadership to achieve those alternatives. I created the albina queens project in partnership with the local creative agency called camp grizzly because we imagine a world where people of african decent enjoy the life, resources and recognition to be a thriving, brilliant connected community. This photography project celebrates those who claim, reclaim, and-or disrupt traditional constructs of black femininity. The images captured marks an occasion where black women are seen, counted, loved, and valued. In this in and of itself is a political act. The albina queens exhibit represents a wide spectrum of difference. Non-binary fems, with women, youth, elderly, people with a range of abilities, and everyone and everything in between. It is in the spectrum where we find beauty and power of black people. The photography focuses on bringing out the natural radiance of black skin and the rich traditions of head wraps. Head wraps have a deep and complex history within the black community. From the use of a tool of oppression to the literal use as a crown today. This piece of fabric represents resiliency, resourcefulness, creativity that black women have employed as a method of survival and self empowerment for centuries. Like many when I enter rooms like this I have to remind myself this space is forming even though it may not have been designed for me. It is our hope that when black women view this exhibit, that they feel loved and valued. We deserve to be celebrated in spaces like this one. During and after black history month and women's month, really all year long. Today we are honored by the many black women who have paved the way for this moment. I am honored to present the albina queens photography exhibit to you all, and it's my hope that folks listening will visit the exhibit at the old church but also check out our website for many

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more opportunities to celebrate the leadership of 100 black women, one of which is commissioner jo ann hardesty. Thank you very much.

Wheeler: Thanks. Joy, do you happen to have the url for the website?

Davis: Yes, if you go to albinaqueens.org.

Wheeler: Very good. Thank you. Good morning.

Shannon Scott: Good morning, mayor wheeler and commissioners. My name is shannon scott. My pronouns are she, her, and hers. I want to start off by saying thank you. Thank you for create thinking space for us. Thank you for having us here today. I want to start by telling you a bit about myself and what brought me here. I was raised in a community that is not like Portland. I was raised in montana. I grew up there until I joined the military. I serve in the military for almost 11 years. I am a combat veteran of two iraqi campaigns, and it was something that happened to me on the last trip home that would change my life. I was coming home on an aircraft, a cargo plane, and it was full of caskets. Those people dead had given the ultimate sacrifice for their country. At that point I decided that I could no longer hide my truth. I could no longer live in the closet, and I decided to begin my transition. It was at that moment in time I realized how important having a safe and accepting community is to living a happy and full life. I lost everything. I was forced out of the military because of my gender identity. I lost my friends, my partner, and my family. I knew I had to live somewhere better. After one visit to Portland, Oregon, I knew that this was the place. I made my home here. I devoted my life to serving those in the marginalized communities. Communities such as the transgender community. Community with people of color, women, gender non-conforming and queer folks. As you know we have done a lot of work here in Portland to serve those communities better, but you also know that we have a long way to go. I want to thank you for the work you have done, and I want to encourage you to keep having those difficult conversations, keep taking those meetings, and keep working to make Portland the amazing place that it can be in the future. Years ago, I heard a shocking statistic that the average life expectancy of a transgender woman of color is 35 years old. This points out all too well the staggering effect of intersectionality and the effect it has on our communities. That is why we work for all communities. Why we must continue that work. Portland is seen as a leader across this country, as a progressive city trying to make change for the better. It's not perfect. But we are getting there, and we can get there. We are working on a bill right now, at a national level modeled after one that Oregon has right here called the equality act that would ensure legal protections for lgbtq people and women. Half of the country does not have protections. Two women can get married on sunday and be fired on monday. A transgender woman can walk into a department store to buy a dress and be denied service. This happens all too often. Please continue to show the country that we can do this. With that said I want to take a moment to celebrate the amazing women at this table and to the amazing women in the community that have done such fantastic work for our community, and I would like to challenge everybody listening and watching right now to join in this work. If you would like to join me at hrc, we have positions not just to serve, but to lead. It is my intention to raise those voices that have not been raised in the past with this amazing platform that we have at the human rights campaign. You are free to reach out to me at shannon@hrcportland.org. I would like to say I am happy to continue this work with you for creating a safer, happier, healthier Portland.

Courtney Duke, Senior Planning Transportation Bureau: Good morning. I have to have my glasses and my computer right now. Thank you, mayor and commissioners. I am courtney duke, she, her. I am usually presenting and talking to you about transportation policy, but today I am here to celebrate and advocate for women at the city through my involvement in women's empowerment, women's history month planning committee, and as a founder and board member of pdx city mamas, the city's working moms affinity group.

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It is refreshing and about time I might add to be up here representing to three women, although commissioner Hardesty is not here, on council for the first time in this 22-year city veteran and the city as a whole. Although I see that commissioner Hardesty is not here, I look forward to working with her and all my capacities at the city. Women's empowerment is the latest name and officially recognized women's group at the city. Women at the city have been planning and participating in women's history and international women's day celebrations and events for over 20 years. Both as a part of city government and as well as our volunteer time. Our group and celebrations have evolved and become more inclusive as the population of our city and our employees have evolved and changed. Many working women have become working mothers, and a need to support this segment of the employees is identified, and the PDX City Mamas formed approximately 12 years ago. Our group supports working parents through policy and program development and changes, such as paid leave and nursing rooms, plus workshops, panels, and general support. We want to thank commissioner Fritz for her early and consistent support of our group. I think that you are our first guest speaker.

Fritz: I think so, too.

Duke: And working parents in general. Commissioner Fritz, along with commissioner Saltzman were the driving forces of paid family leave. And they heard our concerns and modified the rules to be able to take leave in increments over the year in order to better support families that serve as foster parents to children in the community. So thank you. This year we have several events that reflect the changes our members and their families are experiencing. And we have a presentation and facilitative discussion on gender and gender fluidity for children and families. We have advice on planning for a high school education, proposed high school education, be that college or the trades, and the panel related to non-office jobs, field jobs at the city. And speaking of which, I am going to copy Karen. Pbot is hiring seasonal workers and utility worker twos, which are excellent entry level positions at the maintenance operations office. We need and want more women applicants. Spread the word to your communities. We invite all of you to join us at these events in March, but also any of our programs throughout the year are open to all city employees. Finally, I would like to mention a leader and mentor and woman of public sector excellence, Betsey Ames. Betsey provided excellence in public service for over 20 years. Both at city hall and at bureaus including BPS and OMF. Excuse me. Betsey died last month, a loss for the city, our communities and me, personally. She was a champion and mentor of women and men both in her daily example and also as a panelist, speaker and supporter at women's history month every March. I dedicate my work to Betsey while the OMF created a yearly award for public service excellence in her honor. She is and will be missed. Thank you for your time and attention. And we look forward to seeing you at our events.

Wheeler: Before I read the proclamation I would like to open this up for any comments to my colleagues.

Eudaly: I feel like it's my duty as a transportation commissioner to mention the launch of women's history month a couple days ago with Bike Town. They have a new women's history month bike wrap, which is fun. It was created by two women designers who work at Nike. And I shared the following Susan B. Anthony quote with attendees. I am wearing my little bicycle pin today from congressman Blumenauer. The quote, let me tell you what I think of bicycling. I think it has done more to emancipate women than anything else in the world. It gives women a feeling of freedom and self reliance. I stand and rejoice every time I see a woman ride by on a wheel. The picture of free, untrammelled womanhood. I didn't want to miss an opportunity to highlight the role that bicycles played in women's emancipation. Just say that I am looking forward to making Portland a safer city for everyone to bike in. But particularly women who may be not surprising to some but

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surprising to others are under-represented in the bike community because they face the same kind of barriers and threats riding bikes on our street as they do everywhere else in the society. So thanks for being here today, that was a lovely presentation. I am so excited to see your exhibit. I have a lot of friends in that exhibit, and I love the photos of them posing, doing the pose in front of the photos. It's really cool. So thank you, mayor. That's it.

Wheeler: Commissioner Fritz.

Fritz: Thank you each of you for your jarring presentations today. It's really a wonderful occasion, and I know that commissioner Hardesty is sorry to have missed it on this historic occasion where finally we have a majority of women on the city council. I also need to put in a plug for my bureau, the water bureau, which has many good jobs for apprenticeships. We spend 3 million in training and opportunities for entry level folks, and they are good family wage jobs. And so you have my commitment to continue to do whatever I can on the council to make sure our city workforce and our community's workforce represents and encourages everybody to imagine a different alternative way of the society being. Thank you very much.

Fish: Thanks for doing the proclamation today and for our stellar panel for the presentation. You know we actually have a lot of people who watch this program on channel 30. Someone I hear from regularly is former senator Abel Gordly, so I want to do a shout out to Abel who is a faithful watcher of city council meetings and often follows up with emails and commentary. My wife wrote a book with Abel telling his story, and I want to honor both those women. Courtney, thank you for mentioning Betsey Ames. Betsey served in so many important capacities here in the city, and I was honored for a period of time when she served as my chief of staff, one of three women, who have held that position, and she will be greatly missed, so thank you for reminding us of Betsey's service. My bureaus are the park bureau and bureau of environmental services. We are hiring, at least on the best side, parks, we have a different challenge as will become clear to the budget process. We did a national search, recently, and hired a new leader of parks. A deputy commissioner named Adena Long. So we are very, very pleased to have this rock star who decided to come to Portland and to lead our bureau. I hope to make one or more of the programs that are on this excellent calendar, but again, thank you all for being here and for sharing your stories, and thank you, mayor, for hosting this event.

Wheeler: Very good. I want to add my thanks to the women on this panel. Thank you for being here today and for helping to orchestrate a fantastic presentation. Also I think inspiring people to take leadership roles. I want to thank women throughout the city who play an important role and provide leadership. And in a myriad of different ways, and I want to give a shout out to my mom. I think that she is one of the strongest women I have ever met. I would like to thank my spouse, Katrina, for her leadership in the community. My daughter and I particularly want to thank the employees of the city of Portland who are so engaged and worked so hard in our groups and help elevate everything that we do. There is no question that when women are engaged in leadership roles, engaged in committees, when they are engaged on boards, our community is better for it. And I also note that this is true with the women that I work with right here on this city council. Commissioners Eudaly, Fritz, Hardesty. They each come to the table with a different lived experience, a different perspective, different ideas on how we should address things in the community, and I have found that having women on this city council elevates everything that I do as a leader. So I want to appreciate them in their leadership, as well. This past election in our country was a historic one. I think that everybody feels that we are at a positive and important tipping point, more women and people of color than ever before ran for positions in congress. And I think that will trickle down through the entire leadership spectrum not only in the public sector, but also in the private sector. All of us acknowledge that it is especially important for women of color to take leadership positions in this community, and

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I thank everybody for recognizing that. It's important for me to recognize the additional barriers that all women face in leadership in our society. I don't know how many times I hear people say well, women have equal rights. Well, equal rights doesn't necessarily mean equality, and all you have to do is look at a boardroom of any fortune 500 company, and makes the case. There is plenty of work to do, and you are the ones doing that work, and I want to appreciate that. Thank you for the calendar and unfortunately, even if I hold it up, people won't be able to read it but I hope that people do go online, and they look at the opportunities around women's history month. There is something there for everyone to be included. There is a special focus this year on trans-women and feminine identifying queer, gender and non-binary people and exploring and talking about the importance of this community and what it means for us as Portlanders and how we can better engage, and prosper together as a community. Last but not least I want to thank our city's women's empowerment group. Again, you are the ones who helped to bring this to go, and you are the ones who helped to lead and bring important perspectives to the Portland city council, and that's not something that you get paid big bucks to do. I just want to acknowledge that and thank you for your service in that capacity. So, without further adieu, I would like to read a proclamation on behalf of the entire city council. I want to thank you for asking me to read this proclamation. Whereas this community's greatness and success is a direct result welcoming and empowering all people regardless of gender, culture, class, age, religion, ethnicity, sexual orientation and ability or disability, and whereas women especially women of color have been under-represented, oppressed, and often unrecorded in their contributions, yet have been presented in untold or oral histories and continue to play important roles in furthering knowledge and leading equitable change for our society. Whereas to foster the next generation of women the city of Portland seeks to encourage and support professional, educational, social opportunities for women and female bodied people so that there will not be competition with one another over scarce seats at the table but rather an inclusive space for all women to be able to participate with the commitment to drawing women of color and empowering women to lead and benefit entire communities. And whereas women's history month is a time for all Portlanders to celebrate the paid and unpaid work of women who improved the livability of our community working both inside and outside the home. And whereas during women's history month all people are encouraged to reflect on past victories and struggles of women to create a society where the next generation's success is based on the content of the character, not determined by the culture and their culture or gender identity. And whereas the 2019 women's history month theme, agents of equity, women and gender non-conforming voices in action is intentional inclusive and intersectional. As agents of equity we embrace language that represents everyone's experience. In spelling women with an x, we are following the lead of the indigenous women's march in an explicit inclusion of not only women but trans-women and feminine identifying queer gender and non-binary folks. We can deepen and strengthen our ally ship when we think of gender more radically. Now therefore I, Ted Wheeler, mayor of the city of Portland, Oregon, the city of roses, do hereby proclaim march 1st to march 31st, 2019 to be women's history month in Portland, and encourage all residents to observe this month. Thank you all. If you would not mind could we gather for a photograph right here in the front?

Fritz: We have a number of other supporters. So we have them in the photograph, too?

Wheeler: Of course.

Fritz: Everybody with the women's affinity groups and the other groups mentioned.

Wheeler: Anyone who wants to celebrate. You bet.

Item 195.

Wheeler: Speaking of strong women leaders we have with us the auditor, good morning.

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Mary Hull Caballero, City of Portland Auditor: Good morning, mayor and commissioners. I am city auditor mary hull caballero. The chief officer and I are here with code changes to finalize the foreclosure. The assessment, finance and foreclosure division helps finance infrastructure improvements and supports regulatory efforts of city bureaus by assessing the property for local improvements, system development charges, and code violations. The division also maintains the lien docket, provides financing for improvement assessments, collects currents and delinquent revenues, owed to the city and recommends properties for foreclosure. Moving the function to the revenue division would implement a recommendation from a 2012 consultant's report that highlighted the complex lien's process and overlapping responsibilities. It would also address the risk of keeping a small specialized unit in my office, which is unable to effectively provide coverage when employees retire or take positions. Your actions today will codify the consolidation of the liens process and make the revenue division the recorder of the lien docket. The code changes proposed mostly replaced references to the auditor with the revenue division or the bureau of revenue and financial services. The ordinance also similarly amends related binding city policies. I am confident that the director cooperman and her team will be good stewards of this city function and encourage you to support this change.

Wheeler: Very good. Does that complete your testimony?

Hull Caballero: That completes my testimony.

Wheeler: And jennifer, cfo cooperman, do you have any?

Jennifer Cooperman, Chief Financial Officer: I would add that we are looking forward to absorbing this team into our revenue division. We anticipate that the staff synergies with the rest of the team will allow us to successfully address the findings from the 2012 audit that the auditor referenced. Just to illuminate the challenges that the city has had to deal with, I brought with me a picture of the customer service model that the auditor -- that the audit from 2012 was able to draw for us of the challenges that we asked the public to go through. I anticipate being able to come back to you in a period of time with improvements to this picture. A picture is worth a thousand words.

Wheeler: Yeah, you bet.

Eudaly: Or at least 38. Thank you. We look forward to your support. I anticipate bringing code updates to you later once we have had an opportunity to review them, and anticipate the auditor graciously giving us a period of time to make improvements before she turns around and audits us.

Wheeler: Very good. Cfo cooperman, do you have a time frame?

Cooperman: For the changes to code?

Wheeler: Correct.

Cooperman: Probably by the end of the calendar year.

Wheeler: Okay. Very good. Any further questions? Do we have public testimony on this item?

McClymont: We have three people signed up.

Wheeler: Three minutes. Name for the record, please.

Maggie: Okay. I signed up for this because it's got the word "foreclosure" on it. Being in -- this is maggie. It came to my attention that there was a disabled woman in there who somebody had not helped her. There is a federal program that helps prevent foreclosure for disabled people. And she was -- has been disabled since she was a child, and I guess that maybe her mother died.

Fritz: This item is about moving the foreclosure process from the auditor's office to the revenue bureau. It's not about how we do foreclosures or anything, so if you could just comment on that. Thank you.

Maggie: All right.

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Lightning Super Humanity: My name is lightning. I represent lightning super humanity. Again, I have always, from my position, always relied upon the auditors to have kind of an independence on issues, and from my position although it sounds like they might be short in staff or might not be able to handle this type of workload, i, myself would prefer the auditors to still keep doing what they are doing. I feel that there is an independence there. I feel that on this foreclosure issue in my opinion I view it as a vision zero of foreclosures in the city of Portland. I think we are in an economy that we could look at that in a more reasonable manner and try to go in that direction. I just don't like to see people foreclosed on. I don't like to see eminent domain. I don't like to see anything like that, and that's why I like to have the auditors, and I am sure that they will have that oversight even if it does change. Like I say, I don't have any issue on the revenue bureau whatever. It just is more or less I like to have the auditors because I think that they tend to really dig into certain issues pretty aggressive, and they are used to that. That's what their job is. They are an auditor. And in my opinion they are the most qualified to deal on this issue with the type of training that they have and the oversight that they offer. So I am a little concerned on the move here, but again, either-or will be fine as long as the oversight, which I am sure it will be, will be when by the auditors, and again, just my personal position, vision zero on foreclosures. Be cautious on the disabled, the senior citizens, and do whatever you can to work with them in a manner and make sure that the communication is really clear to them on what's going on and that they have the capacity to make reasonable decisions on their behalf at that time, and also, that every other option has been looked at to prevent them from going through what I consider a bad experience. It may be even traumatic experience to people being foreclosed on. Vision zero foreclosure, Portland, Oregon, that's our way in this city. Thank you.

Wheeler: Thank you. Good morning.

Charles Bridgecrane Johnson: Good morning, commissioners. For the record charles bridgecrane johnson. As commissioner Fritz noted this is presented to us just as the narrow issue of the transfer of the responsibility out of the auditor into revenue. But I think that given the high aspirations for great public service here it would have been an opportunity for us to talk about the volume of work that this office handles, how many of these issues we have, in the past few months I think we talked about turning down the heat on the zombie housing stuff initiated under mayor hales. When we talk about the foreclosures and there is 48 pages here about if it goes as far as demolition and stuff like that. I think that if we are really going to be a smart city, if we are going to really address the housing crisis that we face, some of this information needs to filter out so that we know how many buildings -- it's a separate department but how many buildings are marked with the red view. How many are -- maybe not being as aggressively pursued as nuisances or whatever it takes to get property used in the city that has great need. I am not the strongest real estate person here. Since when I came we had a big hole in the ground sitting behind nordstroms but we couldn't do anything because it is a free market. I hope when we look at nuisance and foreclosure properties, that they will be a comprehensive thought about the extreme need that tens of thousands of people even families with children are facing to be inside structures while we have uninhabited structures marked just sitting around. But the basic 48 pages of material, ministerial function of moving this out of the auditor's office into revenue seems to be well prepared I wish the presentation had said about how many transactions and properties this type of work impacts on an annual basis. Thank you very much.

Wheeler: Thank you.

Maggie: Why were they allowed to speak on other issues besides the transfer and I was not?

Wheeler: Maggie, come on, you know the rules. Thank you. Thank you. Appreciate it.

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Wheeler: They were sticking to the issue and you were talking about something else. This is not about foreclosure. Thank you. Maggie. You are in violation of the council rules. Again, if you don't stop I am going to ask you to leave. Thank you. Does that complete the public testimony? Yes.

Wheeler: Very good. Any further discussion? This is an emergency item. Please call the roll.

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

Eudaly: As the commissioner, former commissioner in charge of bds this was really a frustrating process for me, which cfo cooperman illustrated with the 31 steps, and I do want to tracy a couple issues brought up by the community members and just explain for everyone here and everyone watching that while I know the word foreclosure is a, kind of hot button term, I want to assure you that this is a very rare action taken by the city. Bds, while I have bds, we brought back a program to help homeowners who were truly facing hardships and challenges getting their property back into compliance, and we are helping them with that. We will use this action against property owners who are primarily absentees or large financial institutions, and they are just refusing to take responsibility for these abandoned, derelict homes that can present not just an eyesore, but hazard and threat in neighborhoods because of the way that they can be used. We have seen fires. We have seen a lot of illegal activity. It's not safe for youth and children in the neighborhood sometimes. So I just want to, everyone to rest assured that this is not comparable to bank foreclosure. It's rare. And it's a necessary action. It takes about a year at best because there is so many steps that we are required to go through, and the property owners still have ample opportunity to get into compliance and retain their property, so I want to thank the auditor and the cfo cooperman for being willing to, I guess it's not an exchange, participate in the transfer. And I vote aye.

Wheeler: Well, first of all let me second what commissioner eudaly just said. Foreclosure is by design, something that is very, very difficult for governments to actual consummate. There are many, many steps that the government needs to go through, and at the end of the process, a homeowner still has the option to make a payment, and that's usually what happens. And I support the fact that it is difficult for government to be able to foreclose on people and take their private property, but that desire that's built into our constitutional protections that make it difficult for government to take private property are also very frustrating for people in the community who are concerned about zombie house next door, so we have tried to balance those competing interests by improving the process and in many regards strengthening it and improving the transparency and the accountability, and I appreciate the work that the auditor has been doing and I support the idea of moving the actual administration of the program over to the cfo. I think that's the appropriate place for it. Just the chart you put up with regard to customer service, that in and of itself is an obvious improvement that we could all make. I vote aye. The ordinances is adopted. Thank you for that. Could you please read 209.

Item 209.

Wheeler: As we kick off the 2019-2020 budget process I am excited to nominate andrea paluso to be appointed as our fifth and final community budget advisor. I've been looking forward to having her wealth and knowledge and experience at the table. We had a preview of that yesterday as she sat around the budget work session. Interim budget director jessica kenard is here to provide more information and support this nomination. Good morning.

Jessica Kinard, Interim City Budget Director: Good morning. Good morning, council. Thank you, mayor. Jessica kinard, interim city budget director. I am here to talk a bit about the item in front of you, appointing andrea paluso, so the community budget advisory board as you know consists of five members who are residents of the city of Portland.

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They serve three-year terms and may be reappointed. They provide valuable community input as part of the city's annual and supplemental budget processes. As we participate in all council budget deliberations, by advising the city council on proposed budget amendments and assisting in the review and discussion of the plans and results. Excuse me. Andrea paluso is the co-founder and executive director of family forward Oregon, and family forward action. Organizations founded by Oregon mothers to change policies and systems, sorry, was in a hurry on my way over here, and it's snowing outside.

Wheeler: That's the transportation commissioner's problem.

Eudaly: I used to love snow.

Kinard: It's very pretty. Let me start again, she's a fantastic -- I want to do her justice. So in her work, she's helped to lead campaigns for affordable childcare, paid family and medical leave, and equal pay, increasing the minimum wage, paid sick time, and accommodation and protections against workplace discrimination, brief healthcare access, domestic work and protections and more. Andrea paluso lives in Portland and is the mother of two kids, 11 and 13.

Wheeler: Thank you. Any questions? Andrea could not be here today but had a bit of a chance to meet her yesterday during the work session. Seeing none I will entertain a motion.

Fritz: Move to accept the report.

Eudaly: Second.

Fish: A motion from commissioner Fritz, second from commissioner eudaly. Please call the roll.

Fritz: On this day we celebrate women's history month I think it's fitting that we have andrea paluso, who has been a leader in our community and partner for city council members on many of the initiatives that we passed over the past ten years and more, and I am very happy that she is willing to serve with the budget committee. Aye.

Fish: Aye.

Eudaly: Well, thank you to miss andrea paluso, aye.

Wheeler: I strongly support this. Andrea is a great addition. I thought that she asked fantastic questions yesterday, so this, for me is, confirming what I already know. I vote aye. [gavel pounded] the report is accepted and appointment is accepted. Next item, please. 210.

Item 210.

Wheeler: Colleagues, the drac, otherwise known as the development review advisory committee, was established in june of 2001 as the city's primary body regarding development reviewer. The members represent various industry and neighborhood groups with interest in development and development review. Drac members are appointed by the city council to one three-year term with the possibility of serving a second three-year term. Sean green has been nominated to fill a vacant position that currently exists on the drac representing neighborhood interests. The previous number have completed their terms of service. And sean has both significant and relevant experience that I believe makes him a good appointment for the drac. Serves as an executive board member of the northeast coalition of neighborhoods. He is the co-chair of the land use and transportation committee, as well, and he serves on the Portland online permitting system known as pops, customer advisory committee. He owns a design-built construction company, which specializes in homes and adu's giving him familiarity with the development review process. I believe that appointing sean green will bring the drac closer to full strength and allow it to continue its fantastic work on behalf of the city of Portland. I would like to invite up staff and sean. Welcome, and thank you for being here. Good morning.

Mark Fitters: Good morning. Thank you, mayor and commissioners. I am mark fitters with the bureau of development services, and I provide staff support to the development review

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advisory committee. I want to thank you, mayor, for the introduction of sean green. I just wanted to note that we are excited to recommend sean for appointment to the drac. I worked with them for several years, and have seen the group provide a forum for the different stakeholders to development to come together to discuss the issues and to find ways to collaborate and reach resolutions. I have seen the group grow over that time, and I think that with sean having a foot in both those worlds, and the development community, as well as the neighborhoods, he brings understanding and perspectives that I think will help to move that forward. I want to introduce sean.

Wheeler: Thank you. Good morning.

Sean Green: Good morning. I am very excited for this opportunity to serve on the drac. I've been attending meetings since I met with marshall runkel about two years ago, and we talked about some bds issues, and he suggest I started attending meetings. Since then i've been very involved in bringing those issues back to the coalition. Northeast coalition of the neighborhoods and talking about how the things that are being discussed at drac and the processes at bds can be improved, and as part of that process, a call was made for members to serve on the revamped online permitting system, pops. I signed up, and we have started that new committee and that new work in september. I was appointed chair of that committee, and I think that there is a good connection between the work to improve the services and the five projects that are part of pops and the work of drac and integrating that so that there is better customer experience and more efficiencies throughout the bureau.

Wheeler: Very good. Could I ask you a question? you've been very actively engaged, and we like residents like you who are really actively engaged and want to participate. You have a pretty busy schedule. You are engaged in a lot of things. What has motivated you to want to serve on this committee?

*******:** My initial motivation was out of frustrations related to inspections. Honestly. And that was -- I had a meeting with marshall from commissioner eudaly's office when she was in charge of the bureau of development services, and he suggested I get involved. And having a long history of neighborhood advocacy starting with, well, southeast coalition of neighborhoods and I decided to start attending meetings and seeing what was being discussed.

Wheeler: Let me say I applaud that. I love it when somebody says that they have an issue or a problem. They come to city hall or a commissioner, in this case commissioner eudaly, and they put the challenge back on you and you take up the challenge. Thank you for doing that.

Eudaly: That's how I got here.

Wheeler: I think a lot of us feel that way. Thank you for that. Commissioner Fritz.

Fritz: Thank you for volunteering to serve. Setting the makeup of the development review advisory committee was one of the last community projects I worked on before I got elected to council with the late and great McKnight, and we tussled with then BDS commissioner, leonard, over what we had been seeing as a development oriented development review advisory committee. And set up the position so that there would be a balance of neighborhood interests and you just told the mayor that you were concerned about inspections and basically, your experience with development services as a developer, and can you give me reassurance that you will be able to represent the neighborhood interests on the development review advisory committee and be primarily there to speak up if neighborhood concerns?

Green: In my role as the neighborhood advocate, definitely. I would be there considering concerns for the neighborhood. I think that my long history of neighborhood advocacy and the numerous letters that I have sent to council on various issues both in my role as the chair of the neighborhood association on the land use transportation committee from

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southeast uplift and more recently as vice chair of the northeast neighborhoods and land use transportation committee. In addition to my service on things like pbot's parking advisory task force and the 20's bikeway show that I have a strong commitment to neighborhood interests and insuring that those are represented. I think that there is alignment between development interests in drac and bds, and neighborhood interests in terms of providing consistent and thorough communication with those clients and those, those affected by development, and also as part of looking out, changes to the zoning code that will affect the development and also the way in which the bureau engages in things. Like the bureau of planning and sustainability. I don't really distinguish you know, internally between the work I do for the community and making realities and their dreams come into a reality and also the work that I do in my neighborhood advocacy. I think that there is the strong ethos of public service. I have a masters from Portland state, and public administration, and a long history of public service, so.

Fritz: I am hoping that you will continue to serve with the northeast coalition of neighborhoods because I have every confidence that they would keep you in line if they feel that you are not representing their interests, so that's a very good answer, thank you.

Fish: How many members are there on the drac?

Fetters: 17 members on the drac.

Fish: And we have three vacancies?

Fetters: We do, presently.

Fish: So in the memo we got, the vacancies relate to historic preservation, minority construction, and low income housing. Those are actually three very significant areas of interest of the council and the community. How confident are you that we will have some candidates for those positions in short order?

Fetters: We have been recruiting for those positions. We have a handful of applications that we have received that are either under review or will be under review shortly. And we are hopeful to have those positions filled within the next few months. I can't give a guarantee as to when, but we are actively trying to fill those positions.

Fish: Let me make a recommendation. We approve a lot of appointments as a council. Everybody has a different way of doing it, but I am often struck by the fact that a bureau director or commissioner doesn't take advantage of the opportunity to let other colleagues know that there are the vacancies, so that we can activate our networks. I would be willing to help in the low income housing development community, which I know very well helped to identify a suitable candidate. Likewise with historic preservation and minority construction. I would urge you to send out an email to the council chiefs and commissioners alerting us to the fact that you are doing this recruitment. Let us help you in that, and I hope we get into the habit of involving more members of council in these appointment processes because while we get very good candidates, where you have a situation like this with three vacancies in three areas that are very important, take advantage of our networks, as well, and so I hope that you will send something out to remind us to forward those candidates to you.

Fetters: We will definitely do that, and thank you.

Wheeler: Any further questions? Commissioner eudaly?

Eudaly: Mr. Green, first of all, thank you for being here and for accepting this appointment. You now serve on almost as many boards and committees as I do, and as a volunteer. And I want to say that I really admire and appreciate that. I don't know if I could sit through all these meetings if it wasn't my job, just to be honest, but I do lots of other volunteer work. Correct me if I am wrong, does your company primarily do additions, renovations and adu's?

Green: That's correct.

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Eudaly: Yeah, so you are, actually, helping to preserve existing housing and build upon it, which is great, in my mind. We need more of that kind of development because we are not tearing down beautiful old homes. You are helping people build wealth and existing property. It's a greener approach than demolition and redevelopment, and I am a big fan of adu's. I think that everybody now -- as I think everybody now knows. I think you bring really great mix as a neighborhood advocate and someone experienced in this type of development. I want to say thank you because you probably won't be here when we take the vote next week.

Fish: I will move the record.

Eudaly: We do the report, great.

Wheeler: We have a motion from commissioner Fish, and a second from commissioner Fritz. Any further discussion? Please call the roll.

Fritz: Thank you for being willing to serve, and thank you for you mark, for your work. Aye.

Fish: Thank you, mr. Green. This is an important committee assignment. And we are delighted that you have stepped up. So you have this.

Eudaly: Thanks again, you are now serving on one of the most unpleasant, sounding acronyms, I think that we have, drac. And one of the cutest, pops. Congratulations and thanks. I vote aye.

Wheeler: I vote aye. The report is accepted, and the appointment is adopted. Thank you very much. Appreciate it. Next item, could you read 211.

Item 211.

Wheeler: This amends contracts with companies that provide staff augmentation services, brian manager at the bureau of technology service is here to give us a brief presentation on this item and answer any questions that we might have. Good morning.

Bryan Pirrello, Information Systems Manager: I am brian pirrello, the support center manager for the bureau of technology services. And I am going to discuss just for a few minutes the staff augmentation contract. So currently there are two existing contracts, both with local companies, the first is vanderhouwen, as you mentioned earlier. Located in Portland. And the second was triad technology group located in tigard. Both companies provide on-call technical temporary support personnel as an on-needed. Since the inception both the augmentation services have been heavily utilized due to several large scale priority projects and including the Portland building project as well as the implementation of the Portland online permitting system, also known as pops. The contracts are being amended at this time to support the addition of new contracted staff and to continue funding the existing staff to support these two projects and other ongoing projects. So additional funds are required in the amount of \$2.5 million for each contract to fund efforts until the contracts expire on april 1, 2020 next year. The funds are available in the 2018-2019 budget.

Wheeler: Could you tell us how new priorities are driving some of these contract amendments?

Pirrello: Yeah. Both of these really are being driven by really the Portland building project and the pops project. In fact, those two projects have been the main users of these contracts.

Wheeler: And what assurance can I give my colleagues that going forward as we enter the 2019-2020 budget process we are going to stay ahead of the cost curve here? In other words what assurance can we give them that we will not come back to the council and ask for additional resources?

Pirrello: It's a really good question. Actually, both these contracts are going to be reviewed next year, and we are going to go to rpf to replace them starting april 1st, 2020. We don't expect that we would be adding any more budget to either of these contracts before the rpf heads out next year.

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Wheeler: Very good. Any questions? Commissioner Fritz?

Fritz: Did I just understand you to say that this is already in your budget and you won't be asking for anything else?

Pirrello: We are asking for spending authority on these contracts.

Fritz: But you have got the money in the services budget?

Pirrello: Correct.

Fritz: Thank you.

Pirrello: Thanks.

Wheeler: Very good. Any public testimony on this item?

McClymont: One person signed up. Charles bridgecrane johnson.

Wheeler: Very good. Thank you. Good afternoon. Name for the record. Is it still morning?

Very good. Excellent. Can't tell, it's so dark in here.

Johnson: I don't know, i'm charles bridgecrane johnson for the record, and one of the mayor's office great legacies should be a better open windows policy. We talk about transparency here but we have the blinds down. I think that we should be more adaptive. When I came up here my main concern was we talked about \$2 million and talked about two staffing subcontractors or whatever you want to talk about. We haven't talked about the nature of the work or the number of hours of work being performed, and I think that nosy, wonky detailed oriented citizens would have been interested to know what kind of work product is delivered if we plunk out \$2 million more dollars. Sounds like this is related to the Portland building, maybe more on hardware side so computers will be present and functional when workers come back. Maybe there's also the massive scope of internal data processing details that go with that building, I don't know. Obviously I think you can vote for it, but I think the best standards of transparency and fiduciary responsibility to taxpayers is if we had more nuts and bolts about what the \$2 million expenditures will get - - what deliverables we'll get. Thank you.

Wheeler: Thanks for your testimony. This is an emergency item. Please call the roll.

Fritz: Thank you for the presentation. Thanks to chief technology officer jeff baer, with us today. Good work. Aye.

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

Wheeler: Aye. The ordinance is adopted. Thank you for the presentation. Next item, please, 212.

Item 212.

Wheeler: Colleagues, this item is a second reading but it's being moved to next wednesday, march 13, as noticed on the tuesday memo, as requested by commissioner hardesty. Could you please read 213.

Item 213.

Wheeler: This is second reading. There's already been a presentation and public testimony. I was not present. I have reviewed the record. Is there any further discussion? Please call the roll.

Fritz: Aye.

Fish: Mayor, I want to acknowledge this milestone. This is our final item this morning. We're going to finish our business by 11:00. So congratulations for keeping us on task this morning. Aye.

Wheeler: Very good.

Eudaly: Aye.

Wheeler: Aye. The ordinance is adopted. We're adjourned.

At 11:02 a.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.

March 6, 2019 2:00 p.m.

Wheeler: Good afternoon. This is the wednesday afternoon, march 6, 2019 session of the Portland city council. Good afternoon, Karla. Please call the roll.

Fritz: Here. **Fish:** Here. **Eudaly:** Here. **Wheeler:** Here.

Wheeler: We'll turn it over to legal council.

Lauren King, Deputy City Attorney: Good afternoon. 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 meetings so everyone can feel welcome, comfortable, respected and safe. You may sign up in advance for communications to speak about any subject. You may also sign up for public testimony on resolutions or first readings of ordinance. Your testimony should address the matter considered at the time. If not, you may be ruled out of order. State your name for the record. Your address is not necessary. Please disclose if you're a lobbyist. If you represent an organization please identify it. The presiding officer determines length of testimony. Individuals have three minutes unless otherwise stated. When you have 30 seconds left the yellow light goes on. When your time is done a red light goes on. If you would like to show support feel free to do thumbs up. If you want to express you do not support something, thumbs down. Please remain seated unless entering or exiting. If you're filming please do not use bright lights or disrupt the meeting. 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. After being ejected, a person who fails to leave is subject to arrest for trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

Wheeler: Very good. We have one item this afternoon. Please read it.

Item 214.

Wheeler: Colleagues, today we'll hear an ordinance addressing proposed changes to title 33 of the Portland city code requirements for made contact pre-application process for new developments. The goal of these proposed changes is to both simplify and clarify the rules and expand reach of notice to residents located around these developments. The current requirement inconsistently applies to different sizes of projects in different parts of the city and amount of time it takes can be unpredictable. The existing requirement provides information to neighborhood associations and the folks in those associations communications networks. The bureau of planning and sustainability has worked with the development services to address this issue by incorporating physical signage at the site to provide additional information to residents. The goal is to reach as many people in as efficient amount of time as possible and give them every opportunity to engage on the way their neighborhood grows and changes. I would like to invite the bureau of planning and sustainability staff sarah wright and eric engstrom to tell us more about about this. When they are done with their presentation I know commissioner Fritz would like to introduce an amendment. I would like to give her an opportunity and to talk about her amendment and of course we have mr. Smith is here as invited testimony and after that we'll take everybody's public testimony who has signed up. If you have not signed up there's a

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signup sheet outside the door or see Karla here at the clerk's desk and we'll get you signed up. Good afternoon.

Eric Engstrom, Planning and Sustainability: Thank you. I'm Eric Engstrom. I manage the comprehensive and strategic planning group at the bureau of planning and sustainability. With me is Sarah Wright, project manager for this effort. We're here today to talk about the neighborhood contact requirement in the zoning code. This is an existing code requirement that requires developers to contact neighborhood associations before they submit building permits in certain circumstances. A review and overall was originally something we had planned to take on with the comprehensive plan related code work a few years back but as we got into it we decided it needed more involvement and discussion with the community before we could land on a proposal so it was separated out and is now coming to you. With the new zoning entitlements with the new comprehensive plan we anticipated there would be more applications triggering this requirement so it seemed timely to take a look at it and make it work better. As the mayor just mentioned, the objective was to clarify and simplify as well as expand the reach, make the information more broadly available. With that context Sarah will talk about the details.

Sarah Wright, Planning and Sustainability: Thank you. Thank you, mayor, commissioners. I want to thank the people in the room today who have contributed and improved the project along the way. I'm Sarah Wright with bureau of planning and sustainability here to give you an overview of the neighborhood contact code update. The project record is in the room. To that record the bureau has added a list of outreach activities. So the current neighborhood contact requirement in the zoning code requires that applicants for building projects complete an outreach process before they submit their application to the city. The project does not address land use review notifications that are required part of the quasi-judicial process. That's outside the scope of this project. This is a process in which the developer is required to make contact with the public. It's important to note there's no obligation in the current requirement or in the proposed changes that would require the developer to actually make any changes to the project in response to feedback. It's an informal opportunity for a conversation to happen. The goal is to create an opportunity for the public to learn about and provide feedback on the project to the developer. So in this process the applicant must send a certified letter to the neighborhood association. If neighborhood association responds within 14 days of that mailing and invites the applicant to attend a meeting the applicant must attend as long as the meeting is held within 45 days of that initial mailing. The meeting is an informal opportunity for community members to learn about the project and provide feedback to the developer. The applicant has to submit evidence to bds that the bureau of development services when they submit for their quasi-judicial process or building permit that they met this requirement. These meetings can be very productive and sometimes applicants do revise their projects in response to the feedback. There's an opportunity for people to learn more and make contact that can be valuable during the construction period. However, the meetings only happen when there's neighborhood association in place that is active, has a land use chair who is able to receive the letter and respond in two weeks, in areas that don't have those elements in place or have too much on their meeting agenda already the meetings do not happen. The applicant gets no reply and is able to submit their application. When meetings do happen the opportunity to learn about and provide feedback is limited to the people whom attend the meeting, which is a very small subset of the much larger group of people who might be interested. Because of those issues this project was initially part of the code reconciliation project, housekeeping project following on the comprehensive plan but it was pulled out for more time and attention. We released a discussion draft last spring, a proposed draft last summer, planning meeting last August and this draft was released on January 28. The goals of the project were to broaden the

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reach of notice, to provide more information to more people. Also to increase the consistency and predictability of both the process itself and the threshold for what projects trigger the requirement. So these are the key elements of the proposal. All projects in most zones, single family and multifamily residential, mixed use, commercial mixed use, ex, and campus zones creating more than 10,000 square feet of new building would trigger the requirement. The requirement would be to post a large on-site sign and send an informational email or mail to the recipients of that letter currently. If it is more than 25,000 square feet of new building the applicant is responsible for ensuring the project is presented at a public meeting with the neighborhood association if that works for the developer and the neighborhood association but it's the applicant's responsibility to make sure the meeting happens. So just to provide some context, projects that are something built now might go through different processes. It may be built by right according to zoning code rules. In that case it would have to do the neighborhood contact before the building permit application. If the project is going through a land use review, that's a situation where there is an opportunity to provide testimony, the public is notified by mailed letters and a small sign on site. That's the land review process separate from neighborhood contact. The proposal would require that the neighborhood contact take place before the building permit is submitted or the land use review permit application is submitted, whichever comes first. Currently projects are then exempted from neighborhood contact. We're proposing to remove that exemption so you would have to do the neighborhood contact process before the land use review application or the building permit application. I just want to note there are different decision makers in these different processes. With neighborhood contact the decision maker is the applicant. They can decide whether to respond to feedback for a land use review process there's like a city hearings officer or a design commission for testimony. So this is a draft template for the sign that would be required to be posted on site. The bureau of development services has developed this template and they will continue to work on it and finalize it and post it on their website for use for developers. You can see there is a meeting information in that yellow square, a space for the information about a meeting if required to be posted in that space. You can also see there's the contact information for the applicant and then underneath there's contact information for the bureau of development services, for the district coalition and neighborhood association. We do anticipate that these signs would generate some calls to those entities for sure.

Fish: I have a question. In the bureau of environmental services when we do community outreach like labor to the river is a good example, we find that it's very beneficial to have a single point of contact. So it could be debbie, one of our community outreach people. In all the communications, written and electronic, it says if you have a concern call debbie or email debbie so you have a person. What it does is puts a human face. It also ensures accountability that there's someone. Here what you have is general zoning information, bureau of development services. I like the fact that the applicant is personalized, but did you give some thought to having someone more specific at bds be the person that people could get information from?

Wright: So what's on this sign is really tricky balance. As you say a sign works best if it's clear who to reach out to. With this sign, however, this is being posted by the applicant and it's before the city even knows about the project. So we're requiring that the applicant put contact information on the sign but the jurisdiction, its ability to enforce the developer answering the phone or answering those emails is limited. We wanted to make sure people had other avenues to ask questions so they can call bds about what is allowed on the site, that kind of question. The phone number is the planning and zoning hotline so they could answer questions about what's allowed on that site. We wanted people to be aware of resources like the district coalition and the neighborhood association. It's a bit of

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a balancing act. It would be ideal if there was a point of contact but because the city isn't controlling that point of contact we wanted to make sure people had resources.

Fish: That's helpful. Thank you.

Wheeler: Can I ask you a question? Down at the bottom if you can't read English as your first language, what actually happens if I'm calling and I speak a different language? Does somebody have a copy of the sign or how does that work?

Wright: What you call with that information is the planning and zoning hotline. The reason for that is the city has the resources to be able to get on demand phone interpretation where a developer could be just developing one project just once. They won't have those resources. We wanted to be sure they called someone who could help them understand what it's about.

Wheeler: If I say I'm -- can you tell me what this sign is all about will somebody be able to do that?

Wright: They can say we have no idea about the sign. We know about that kind of sign. That's a sign that we do require and we can tell you what can be built on this site.

Wheeler: Is there some way to database -- I don't want to overcomplicate this and I don't know how many calls they would typically get but is there a way to database it or make it more accessible to whoever is actually answering the phone? I can imagine somebody might be frustrated from a customer service perspective to be directed to a number where somebody tells them in their own language I'm sorry I can't help you.

Wright: I think that's one of the intentions is that it's out in -- it's not inside the city jurisdiction. It's from one of the balancing acts with this. However, there is a requirement in the proposal to -- for the bureau of development services to post information online and part of what we're doing with this project is creating a tool that will allow developers to submit through a web form the information that will go on the sign in an online map. The staff will be able to see that. They will be able to look that up.

Wheeler: Thank you.

Wright: In the big picture that is the long term intent when we have noticed like this to eventually have a system where all these signs you can find a virtual version of the same information online.

Wheeler: Thank you.

Wright: Just to clarify, this sign template is not being finalized today. The bureau of development services will continue to work on it.

Wheeler: How big is the sign?

Wright: Five feet by four feet. Big. I want to compare a couple of elements of the current requirements to the proposed. Right now there's a certified registered letter sent to the neighborhood association. We're replacing that with an informational letter or email and sign summarizing the project. The recipients of the contact for the letter remain the same and the sign can be seen by anyone passing by. The method of initial contact certified mail we're proposing to replace that with email or mail. We have been given to understand email is much easier to process. We wanted to broaden the recipients of contact to make sure it's available to the general public. The meeting, this project also impacts the way meetings unfold. Currently it's up to the neighborhood association if there is a functioning neighborhood association to decide if they want to put the development project on their agenda. The proposed change makes the applicant responsible for making sure there's a meeting and advertising it on the sign. Supporting materials encourage applicants to reach out to the neighborhood association to ask them to host or co-host the presentation at the meeting and we expect applicants will generally prefer to do that since it would be easier than trying to host their own meeting. It must take place at least two weeks after the sign is posted and letters mailed and two weeks before the application is submitted. Just to compare the current process and the timeline and proposed process, now after the

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applicant puts that letter in the mail they have to wait 14 days and if they don't hear back they can submit their application. They may have to wait up to 45 days to attend the meeting if required. So the timing is unpredictable between 14 and 45 days. For the proposal it would set a predictable period of 35 days from posting and mailing the notice to submission of the application so regardless of the size of the proposal regardless of whether the neighborhood association is active the applicant will know there's a 35-day wait after the sign goes up and the email or letter goes out.

Fish: At the bottom right where it says apply for land use review or building permit, does the application have to include a copy of the letter or the email?

Wright: It does. There's a list of submittal requirements in the proposed code. You have to submit an affidavit or a statement saying that you did all the things and provide some evidence like a copy of the email. Photo of the sign.

Fish: I'm all for emails but I will tell you that it is remarkable how often people send things to the wrong email address or delete a part of the email address so it goes out into the wherever. I'm pleased that as part of the application you have to put that in. If a neighborhood association later or business association has a grievance they can go see where was this actually sent.

Wright: Yeah. That's definitely been an important part of making sure that evidence is submitted. So we're proposing changes to the process of neighborhood contact requirement and also to the thresholds for which projects trigger neighborhood contact. This shows the difference between the current and the proposed thresholds. As I mentioned, proposed changes would apply the requirement to more zones and change the threshold to a simple square footage threshold. In the second row it's about land divisions, it separates the threshold for land divisions from the type of review since the number of lots created is more reflective on the surrounding community than the land use review type. There are lower thresholds in some areas of the city. Proposed change would remove the lower thresholds and just apply that 10,000 square foot threshold.

Eudaly: I have a question. Development by right, is that for developments that won't require land use review?

Wright: Right. Where they are just meeting the zoning code requirements straightforward.

Eudaly: They still have to do a sign and a meeting?

Wright: A sign for 10,000 and a meeting for 25,000 square feet.

Eudaly: If they are working completely within all the restrictions of their zoning, why would they have to have a meeting?

Wright: The idea in the original current neighborhood requirement is basically saying these meetings are valuable in order to provide people with information about what's coming, what's changing in their neighborhood after ten years people would like an earlier heads up about things changing. It also creates an opportunity to have a conversation between the applicant and the neighborhood, which is really valuable not only for potentially making changes to the outcomes if the developer is responsive to that but also to creating a relationship for the kinds of issues that come up during the construction process. We believe there's value in that information sharing and in that opportunity in spite of the fact that there isn't necessarily a way to change the project. We feel like the value of that outweighs potential frustration of getting a heads up about something you can't necessarily affect but it's something that has come up.

Eudaly: Is there any requirement -- my concern is that community members that come to these meetings may think this is two things. They may think this is their only opportunity to address issues they have with the development, they may also think that they can have more influence than they actually have in that meeting. So will there be anyone from the city or will the developer be required to share basic information like the next step is land

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use review. If we go forward with the project, the community doesn't like it, here's how you file an appeal. Is there --

Wright: That is not something that we're proposing to require. It would be very difficult to enforce. It's something we're including in the draft supporting material that bds can provide. I think there's a lot of opportunities for education and outreach around educating the general public and developers about land use questions but it's not written into this.

Eudaly: Thanks.

Fritz: I have a question about the what's the current versus proposed in which ones are related for design review. What is the design district has more restrictive requirements than this new proposal? That what we were told in written testimony was division. Division requires the meeting at a lower threshold. Would that plan still prevail?

Wright: I don't know of any plan district that has notification requirements as part of the actual plan district.

Fritz: One of the architects of the division design initiative is here.

Wright: That's an idea. The division main street.

Fritz: If there's a plan district that requires greater level of notification, would that plan district prevail?

Engstrom: My understanding is with this proposal we have made that all uniform, what triggers this requirement.

Fritz: That's different from the zoning code where the plan district requirements if more restrictive are the ones that prevail.

Wright: So the division, there was a trigger for neighborhood contact that was removed with the comprehensive plan adoption in may. So that trigger that was in effect is removed because it was replaced by the mixed use zones, which didn't have any trigger for neighborhood contact in the past. Now anything over five units or 10,000 square feet as it says here triggers that requirement.

Fritz: So there's no contact required?

Wright: For the division -- on division, no.

Engstrom: Currently if there's a mixed use project in the mixed use zones on division it would be subject to the city-wide standard for neighborhood contact in the same way that everything else would be.

Fritz: Thank you.

Wright: Because the thresholds -- you have heard testimony, you'll hear more about where these thresholds should be. We feel it's useful to look at what these look like in the built environment, give some examples. Projects understand 10,000 square feet that would require no neighborhood contact at all under the proposal, this is r1, building six units, this would go through a type 2 land review process. This is in commercial mixed use.

Fritz: Just to interrupt you, if it's going to have a land use review --

Wright: That's totally separate. That remains the same.

Fritz: This would remain the same contact, who gets notified, the signs all stay the same?

Wright: Yes. That's an opportunity to make official comment to the city to a decision maker. That remains the same. This is completely separated.

Fritz: That doesn't make sense there would be a bigger sign and more posting for something where people as commissioner eudaly said don't have much input.

Wright: We have worked with bds to talk about how this process and how the design of the sign could be carried forward over those subsequent stages in the process and at this stage that's more work to do to align all the different instances that they require a sign, but that's one possible path is for us to look at those land use reviews as the next step. The idea of the sign is that there's that box where you can post the information about a specific meeting. It's possible that that later land use review notice could just be patched to the same sign.

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Fritz: You might want to think about delaying this project. I know a lot of work has gone into it, but to have a five foot by four foot sign for a meeting where there's no great ability to influence the decision then have one of the small sizes for somewhere where you actually do get to show up and make a change -- that's going to get neighbors who are not land use geeks confused.

Wright: The details of the sign construction is something that is in the bds administrative rules, not the zoning code, so there's nothing precluding us from continuing to work on that with or without this code amendment.

Fritz: Okay.

Wright: Then the last project is in r.h., high density residential. This is 15 units on a 5,000 square foot lot. They did have a meeting with the neighborhood association under the current rules.

Fritz: But they won't in the future?

Wright: Under this proposal they would not require a sign or a meeting. Projects that would require a sign but no meeting would be this is in commercial mixed use of 5,000 square foot lot, a 12-unit apartment building. This is a high density residential zoned property with 10,000 square foot lot. This is 21 units in commercial mixed use, 6800 square foot lot. So projects that would require a sign and a meeting, they are over that 25,000 square foot threshold, 22 units in r2. Commercial mixed use 75 unit, this last one is 113 units in r1. So we have had a lot of interest from stakeholders including bureau of development services in knowing how these would affect a number of projects that trigger the neighborhood contact requirements. There are a couple parts that would increase the number. We're expanding to more zones including single dwelling and ex, currently not included. And it would also remove the exemption for projects with a previous land use review. This is a significant number of projects. The things that reduced number of projects are removal of the design related thresholds and also the changing the land division threshold from being associated with what type of land use review it's going through to the number of lots that are being created. Also setting the threshold at 10,000 square feet regardless of number of units also decreases the number of projects that trigger this. So based on development numbers for five years we estimate about 80 projects a year would have to meet the neighborhood requirements. Numbers that are way down now. We can't estimate necessarily how many projects going forward would be affected. There will be more projects. We estimate five to ten additional projects a year that will trigger the neighborhood project. Land divisions will trigger neighborhood contact become a third less frequently than they do now. Even though number of projects triggering the threshold is not that much higher this will involve more work for both applicants and the bureau of development services staff. Currently the applicant may not have to do more than write a letter and not receive a reply. The proposal would require the applicant at a minimum to send the notification and post a sign then hosting or attending a meeting for larger projects. So key issues raised in testimony at the planning and sustainability commission stage that were consistent through this stage as well, testifiers would like to see the meeting requirements shifted up or down. We hear concern that meetings should have more restrictions around location and timing. I want to float that we hear comments and testimony about the need for easier access to information about land use that goes well beyond the scope of this project but that was a strong theme of what we heard in this project. Just to circle back around, proposed changes would broaden the reach of notice by requiring an on site sign that can be seen by anyone passing and a public meeting. Increased consistency. The process we're making the developer always responsible for making sure the notice and meeting happen and the timeline is more consistent. So more projects will have to meet the requirements because it will be applied consistently and require the same activities regardless of whether or not there's an --

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Fish: Could you go back one slide? If the developer drops the ball and doesn't give the notice and doesn't hold the meeting then goes to seek a building permit or whatever, what's the consequence?

Wright: They can't be received unless they have met the requirement.

Fish: They have to go back to the beginning of the process.

Wright: Yes. That's where that question about enforceability in the requirement is tricky because it's difficult to -- that's the only enforcement mechanism is to not receive the application.

Fish: What's the mechanism that would allow once this is filed the recipient of the email to come in and argue that it was sent to the wrong address and/or for the community to come and say the meeting was a sham or was scheduled in such a way to -- scheduled in an inaccessible place at a time unlikely people could get to, blah blah bhal. What's the mechanism for policing that?

Wright: That happens now frequently that a neighborhood association will say we didn't get the letter or they lied when they said they had a meeting. We didn't have a meeting. It's kind of the staff has to arbitrate and make a decision and they can put an administrative hold on the project if they see a convincing case.

Fish: The numbers you put up earlier that would be covered by this, that assumes the economy continues to hum along, we're obviously seeing a decline, doesn't seem like numbers are so big that we couldn't get in the first year or two a report back on how this is working. We could fine tune it if necessary. Do you agree with that?

Wright: Yes.

Fritz: Continuing on on the numbers, we received testimony from mcphree, only 66% of the projects that currently had neighborhood contacts would have been -- 66 would have been exempted and 100% of the projects requiring permits would now be exempted. How does that jive with there will be five to ten more?

Wright: Most of -- I haven't looked at every permit from arbor lodge in response to that testimony but because of the change to square footage instead of units things that are building like the apartment building, 15 units smaller than 10,000 square feet that's the category where that development is falling into.

Fritz: What was the rationale for choosing 10,000 square feet?

Wright: It's a threshold that they are allowed in the zoning code. We had to pick something measurable and tied directly to the impact of the building on the community and the size of the building is something we hear a lot about and square footage is easy to measure. So 10,000 was a good threshold that cuts out most single dwelling development. We didn't want to get into triggering single dwelling projects having neighborhood contact.

Fritz: What was the rationale for the previous method of doing it by unit?

Wright: The way the neighborhood contact has been the threshold applied in the slide it showed all the different ways. It's been applied piecemeal in response to various projects. What we wanted to do was not be piecemeal but be holistic and consistent across the city.

Fritz: Thank you.

Wright: Wrap it up with next steps. Bureau of planning appeared sustainability is developing an online notification tool to fulfill the contact element and we'll be piloting this tool and handing it over to the bureau of development services which is working with the bureau of technology services on Portland online permitting system that will move the paper-based system to an on-line system. This can be integrated into that work in the future. Effective date is december 2019 to allow for outreach time and also for that integration of the online notification with the pop system. But because this requirement is a process step that has to be met before the application can be submitted we want to make sure there's time to do a good job letting applicants know it's coming down the pipe so they won't be surprised.

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Wheeler: Thank you. Commissioner Fritz, you have an amendment?

Fish: We're going to hear from Chris Smith, right?

Wheeler: After Commissioner Fritz.

Fritz: Thank you for all your work and your extensive outreach. I have been really impressed. It's interesting we're having the hearing on a Wednesday afternoon when maybe people can't come but even so the volume of emails, et cetera, I have had has been testimony to the fact you have to be able to create a lot of consensus so I appreciate that. I have two amendments which I didn't put one down. This is on the location of the meeting place. Since currently the meeting happens with the neighborhood association, who is required by city policy to be accessible and do their meetings in places that are accessible I wanted to make sure that these meetings were in accessible places too. So the changes to after number -- under the section 33705020, b4d, about the meeting, that it be open to the public and be in a location that provides equitable access to all members of the public. Accessibility includes providing language services, removing barriers, providing modifications, accommodations, alternative formats, other services that ensure access, all on request. So the meeting location itself has to be a place that people using mobility devices can get into without having to ask that. The other services including language translation, et cetera, would be on request. That's my first amendment.

Wheeler: I'll second that.

Fritz: Thank you. The second is under c. We received testimony from the Sullivan's Gulch neighborhood association suggesting having the timing currently says held at a time between 6:00 p.m. and 9:00 p.m. Monday through Friday or between 9:00 a.m. and 6:00 p.m. on Saturday or Sunday. Sullivan's Gulch pointed out religious services are often held on Saturday and Sunday mornings. I know from my experience as a parent of a family of sports enthusiasts that sports are often held in the morning too. I would suggest that go ahead and change as requested that Saturday or Sunday meetings be between 1:00 and 6:00 p.m.

Wheeler: I'll second that for discussion purposes. I have a couple of questions about that.

Fritz: Thank you. Those are now on the table. We can continue. Thank you.

Wheeler: Could I just ask staff a couple of questions? The first one strikes me as eminently sensible in terms of accessibility. Is there any reason why we should not be supportive of that amendment? Does legal counsel have any?

Fritz: There are concerns about enforceability again. I think as a practical matter again it would be a judgment call by the staff if it was set in a fortress that nobody could get into.

Wright: It would be very difficult for the Bureau of Development Services staff when given the evidence that the requirement was met to make a decision about whether it was accessible or not. It's a question of enforceability.

Engstrom: I can see also the request for other services -- certainly important where there's a need. I could also see that that could be abused in terms of a developer receiving multiple requests and since this happens prior to the permitting there would be no real city involvement in that.

Wheeler: Let me ask the question slightly differently. As an aspiration this seems important. We have had other conversations with the disability community in this council. Acknowledging that we are arm's length from this transaction.

*******:** I just want to note that I did grapple with this quite a bit in development of this and reached out to the Commission on Disability for feedback about also with the aging to get feedback about what things would be baseline needs. That information is included in this supporting documentation that's providing education to the developers and recommendations for finding a location, that kind of thing, but we felt because of the enforceability question to keep it out of the code language.

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Fritz: I do agree and I appreciate having it in the supplementary, but the neighborhood is not going to have that supplementary material. As we just discussed none of this is really enforceable. So having aspirational statements of value in the code I think is an important thing.

Fish: This question about enforceability, it seems to me that if someone were to argue that they were prevented from participating because the absence of a language service that that could cause bds to put an administrative hold on it to determine whether it was actually an equitable meeting, right? It is a basis for preventing further action until you've investigated.

Wright: Potentially. Bds would have to grapple with how to make that determination.

Fritz: That's part of the challenge making the onus to the applicants. In the current system the complaint would be to the neighborhood association, that the neighborhood association didn't provide those services.

Wheeler: The way it's worded, and I was sort of musing at the placement of the comma, but I agree with the placement of the comma, it's upon request. So it makes it easier to determine whether or not in fact somebody had made the request and if they made the request what happened to that request. So while I understand that enforcement is always an issue with many things we do here at the city, that at least puts brackets around it.

Eudaly: I have a question for the city attorney.

Eudaly: It seems like we're getting into a nebulous zone but in my mind it should be very clear if we are requiring a developer to hold a meeting as part of a prescribed process to get to the land use review, we should have very clear standards for accessibility and physical accessibility would be the most basic. I don't personally know if we have the legal right to require asl interpretation or language support, but it seems like something we should be very clear about or we should get clear about.

Wheeler: Let me ask this. It sounds like conceptually there's consensus that this is a worthy objective. Is there a way we could rather than locking ourselves into the language today is there a way that we could have this be a critical component that we take time to think about and bring back? I'll ask that of commissioner Fritz since it's her amendment. I support the context of the amendment. I think it's an important point.

Fritz: It's a nonemergency ordinance so we have at least another week. That's one good thing. We are being asked to adopt the code. The code says a lot of things about where the location of the meeting is, that would have some enforceability. It's a challenge because the neighborhood associations have to conform to the standards that we set and we can require that on request these services be provided and that they have their meetings in locations that are automatic accessible to people who use mobility devices.

Engstrom: Because the effective date was set out fairly far in advance and there's no immediate deadline pushing us to adopt it, we did not assume you were going to adopt or move to second reading today. If you had the hearing then brought back language at the next meeting before it was forwarded to second reading that's fine.

Wheeler: That would be helpful.

Fish: I like the idea of sharpening the language, conferring with legal counsel to make sure it's within our authority and it's enforceable because we don't want to put something in here that turns out to be neither. The one friendly amendment I would offer is after request where it says upon request, upon request prior to the meeting. I know that's your intent but I would offer that as a friendly amendment.

Fritz: Three days prior to the meeting.

Wright: So there's a reasonable time to put these in place.

Wheeler: Could I suggest from a -- sounds like we're giving head nods. Can I keep this open for the second reading or what's your preference?

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Fritz: Except as a friendly amendment adding upon request three days prior to the meeting and let's take testimony to see what people have to say.

Wheeler: Good. I had a question of legal council pertaining to commissioner Fritz's second amendment to change the time of day to sunday afternoons from 1:00 to 6:00 p.m., is there any specific issue there that this flags from your perspective?

Engstrom: I think I heard saturday and sunday. I'm not -- that's not raising any specific legal concerns that I have in mind.

Wheeler: Does this raise any operational questions from your perspective?

Fish: Does the current meeting -- do we currently have the same rules that apply to neighborhood associations with these time frames?

Wright: I don't actually know the parameters about the rules. [speaking simultaneously]

Fritz: As a practical matter they try to choose times that people can get to. The proposal is to have it between 9:00 a.m. And 6:00 p.m. On saturday or sunday, so narrowing that I don't see why that would be a problem.

King: Just to be clear, the intent is because people's schedules are busy saturday and sunday morning so they are more inclined to be available in the afternoon to attend so it would open to a broader pool of people.

Fritz: That's what I should have said.

Wheeler: Perfectly said. Thank you. Mr. Smith, thank you for your patience. Chris smith represents the planning and sustainability commission.

Chris Smith, Vice Chair Planning and sustainability Commission: Good afternoon. I am chris smith, vice chair of the planning and sustainability commission representing the commission's recommendation. We urge you to adopt this recommendation there are three points I would like to make from our discussion. The first is we heard testimony about the 10,000 square foot and 25,000 square foot threshholds as sarah said in both directions, too high or too low. We looked at the bucket frequency of what size projects the city sees over a given period of time and concluded there really weren't other values for those that made any more sense than these do. So we did not change that aspect of it. We did have a dissenting vote on the proposal that came from our chair. Her concern was that this is potentially one more hurdle to development but also I think more specifically the concern that commissioner eudaly raised which is that people may equate the opportunity to engage with an assumption there's some kind of discretionary review going on. We talked about whether that could be indicated on the sign. The challenge is at the time the sign is posted, you may not know the exact review process the project will go through because if you design something that requires an adjustment, that may change down the road as you go through the application process so we really can't communicate that in advance. Nonetheless the commission as a whole felt that the value of community engagement early outweighed those concerns and did support the proposal. The third point I want to make is about the online access. When this came to us it did not contain online access as one component of the project. We were very concerned that that was a fundamentally ableist approach to benefit from this without online access you would have to physically convey yourself to the site, you would have to have visibility ability to read the sign and be able to read written english. By adding the online component you get access to tools like screen readers, you can view if from anywhere. You can run it through google and get an approximation in your language. We heard about the challenges with timing of pops. I think that's in part why this has a long lead time to sync up those opportunities. We felt online access was an essential component.

Eudaly: Thank you, chris. That makes me feel better.

Fritz: I was just extolling your virtues yesterday to the mayor. You explained to me about the rss feed, sign up to get notifications. [laughter] it seems if we could just get the platform so the developers could post to it people could sign up or unsign up as they wished.

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Smith: The minimum threshold for subscribability if you use rss as a technology.

Wheeler: I want to be fully transparent. Thank you to commissioner Fritz, and thank you one arm's length removed, chris. I already used it in a conversation and it made me sound really smart, so I appreciate that. [laughter] i'm wondering if you had any further thoughts on either of the amendments proposed.

Smith: I think we balanced the meeting requirements. We did add I think we took it a little more involvement of the association. I don't think they are incompatible with the parameters discussed.

Wheeler: Thanks for your service. Do we have people signed up for public testimony?

Moore-Love: We have six people. The first three are

Wheeler: Come on down. Name for the record, please. Three minutes each. If the mikes are about six inches from your mouth that tends to be about right. Good afternoon.

Rocky Johnson: Good afternoon. I'm rocky johnson. I'm a member of the land use committee for the sellwood moreland neighborhood association. The concern that we have is relaxing the requirement for neighborhood contact meetings from 10,000 to 25,000 square foot. We have a lot of projects in the 10,000 to 25,000 square foot range that are currently happening in our neighborhood. We have had a pretty effective meetings with developers in situations where we have been able to save trees, we have been able to improve landscaping, we have been able to improve the exterior building quality, improve transportation flows and safety concerns. So we're concerned that if you raise that threshold to 25,000 square foot we're going to lose that opportunity. It's going to damage the liveability of our neighborhood for years to come. So I just want to emphasize that as a major concern that we have in sellwood moreland neighborhood. Thank you.

Wheeler: Thank you, sir. Appreciate it.

Fritz: Do you think that developers have learned that your group can help improve a project and that if you were then to invite them to a neighborhood meeting, it doesn't say they can't get invited to a neighborhood meeting, just that you wouldn't be the sole venue. Would that work?

Johnson: We just want to make sure that they have the requirement to have the neighborhood contact meeting. Because without that our experiences are not prone to do that. In most cases we have a fairly productive exchange and it benefits them. It makes their projects more marketable in the long run. I think it's a good relationship and a good planning tool. I don't want to see you dispense with a good planning tool for the city of Portland. It's not a good idea.

Wheeler: Thank you. Good afternoon.

Linda Nettekoven: Good afternoon. Mayor, council members, i'm linda neticoven. I live in the abernathy neighborhood but i'm speaking only for myself this afternoon. I want to call out the good work that sarah has done. I'm one that has talked with her, bothered her multiple times. I'm aware of the myriad of people she's talked to in this process. I really appreciate that effort. This piece of code is really critical as my esteemed colleague from sellwood just mentioned in giving neighbors and business owners and employees an opportunity to really help shape the growth and change coming to the places where they live and work and this issue of being able to have a conversation is oftentimes about the design. That's interior, surrounding as well as not just aesthetics of the building. Oftentimes leads to a much better project and less animosity and frustration and resentment about growth and change. That's why we think it's really critical to have these conversations and to have them done well. I want to first mention that I support the effort and the project and I share the widely held notion that the sign is a great innovation and I think again needs to be explored for the work of other bureaus as well. Some kind of consistent signage of the same shape, design and color that may be useful for us. I have a couple of major concerns, though, or they may be minor. The informational letters that go

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to just the neighborhood association, business association, et cetera, our safeway store at 27th and hawthorne, the junction of four neighborhood associations so I know some of the land use review code specifies within a certain radius of a project you have to notify people. If you fine tune that so the informational letters go further out, because if you're a few blocks away as a neighborhood association or another business district you may still want to know about it. The other is the bigger issue, the trigger for community meetings that sellwood has just mentioned and I would ask for either 10,000 square feet or four stories, however that could be defined. I can first of all point to new seasons at 40th and hawthorne, which comes in at 17,000 square feet, less than 17,000 square feet. So it would not have merited a meeting. We need to be looking at some use categories perhaps or other issue in terms of where we set that threshold. I would prefer there just be a lower threshold back to what we had before. It's the four story buildings that are sort of really changing the character and also creating a lot of the resentment among some in our community. This is such a tremendous opportunity when meetings are run well and we have a lot of suggestions about that, sarah has incorporated many of them in the information she has. In 2006 the council did adopt our green street mean street plan, which called for any new development on the street to merit a meeting. As you can see, that has not slowed down development on division in any way, shape or form. So I think that -- I understand we need to look at staff, et cetera, et cetera, but the winners and losers in terms of community meetings can be great and the more effort we put into the way bds alerts people to resources and the way coalitions and neighborhoods work with people on these meetings the better they can be for all of us.

Wheeler: Thanks, linda. Appreciate it. Good afternoon.

Doug Klotz: Mayor, commissioners i'm doug klotz. I support this proposal. The current process does not work very well as we heard. I think the four by five foot sign is a great improvement. I have seen that in other cities this. Will help a lot of questions I used to get when I was land use chair of the neighborhood. My experience of the richland neighborhood is perhaps not as positive as linda's. A lot of meetings consist of people coming and complaining about the project and it was known that there was no requirement for the developer to change anything. That's why I support the thresholds as they sit. The 10,000 square feet, the projects understand that, the bigger projects that are understand that may well go through design review and other things anyway. But the smaller projects, the sign will tell folks what's going to happen and they won't have the ability to change it. Rather than setting up expectations that they can go to a meeting and affect some change, leaving the 10,000 square foot to 25,000 at the large sign and notice to neighborhood associations seems fine to me. The larger buildings will have the meetings. Probably we'll also have design review. I support that. Also wanted to say that I really appreciate sarah wright's work on this. She's actually leaving the city coming up here. I hope that when the budget improves she will be one of the first hired back but she does a great job. She's very personable and does a great job interacting with the public.

Wheeler: Thank you for saying that. We appreciate hearing that of our employees. Thank you. Next three, please.

Wheeler: Good afternoon. Do you want to start? Name fort record.

Christian Trejbal: Christian trable, chair of the neighborhood association. First let me echo what's been said. Sarah has been great to work with. All staff has been very helpful.

Fish: If you keep this up she will be frontrunner for andrew aebi award for public outreach. This is very complimentary. Listening to her original presentation on some very complicated issues, I was struck by not only how accessible she a made the information but obviously how far she went in consulting with people. So it's nice in these forums to see the public compliment staff. They certainly catch a lot of the other stuff.

Trejbal: I would support her receiving that award.

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Fish: Thank you.

Trejbal: To echo what's been said already, we do support a lower threshold here. The gauge for residents to know what's happening in the neighborhood and the impacts that are going to happen on the neighborhood is just -- 25,000 square feet for a meeting that's a lot of big projects that will have impacts within the neighborhoods. We for example this month have a developer coming in who is putting in eight units but they are in the midst of single family housing. No parking. That's going to affect those neighbors. They want to have an opportunity to speak to the developer, see what accommodations can be made to make the project better and more compatible with the neighborhood. I would recommend if not a 10,000 square foot threshold a number of units threshold and the current code which has five as the threshold seems suitable that would put it above missing middle housing that will come in with the residential infill project but capture projects that will have large impacts on neighborhoods. The inclusion of the sign, we're fully in support. We think that's a great way to create outreach. One of the big concerns we have, though, is that the current system is one size fits all and doesn't work for every neighborhood. This new system is a one-size fits all system that isn't going to work for every neighborhood. The current system works well for some neighborhoods that have active neighborhood associations. We invite every developer who contacts us to come present and talk to our neighbors. By and large they are all very happy to do it and I expect under the new system most would be happy to come to the neighborhood association. Some are not so happy and don't want to engage with the neighbors and I can foresee opportunities in the code here for developers who don't want to engage with the neighborhood at that level to avoid ineffective meeting. One element in particular that will enable that is the requirement that the meeting be within two miles of the neighborhood. That means that a project going newspaper overlook could have a meeting in st. John's. It could be held at an awkward time, sunday afternoon. I appreciate commissioner Fritz trying to narrow down that some but what our neighbors have right now is one stop shopping. Every project is going to be at the neighborhood association meeting. They know that. They come to our meetings and are able to hear from multiple developers at one meeting. With this approach, they might have to go to four, five meetings in a month to find out what's happening in the neighborhood. So my suggestion is that neighborhoods be given the first right of refusal rather than just say developer, you have to have the burden, you have to go to the neighborhood association. If they are willing to host it, you need to do it there. Otherwise do it somewhere else. Thank you.

Wheeler: Thank you. Appreciate it. Good afternoon.

Leah Fisher: Hi. Mayor, council members, i'm Leah Fisher, neighborhood program planning manager one of the seven district coalition offices. I worked with 20 volunteers who process these notices, therefore this change directly impacts my program and all of the neighborhood volunteers that I work with. We have been tracking this closely. So i'm speaking on behalf of myself as a staff person but also on behalf of the committee, which is an advisory body to the southeast uplift board. In my role I have witnessed personally all the challenges highlighted in this report and I support the proposed changes. I feel like it's going to really address the major limitations of our current code in all of the points that are touched on earlier. I would like to add that our southeast uplift land use and transportation committee also over all supports all of the proposed changes in the report. They primarily I would say the committee really appreciates that early opportunity to connect with developers. I think a lot of them have very productive meetings and are able to affect change. I think having expanding the zones and making it consistent is something that they appreciate. I would say from my observation the biggest piece of the proposed changes that the group has grappled with are those triggers and thresholds. I think looking in southeast specifically there will most likely be fewer required meetings with

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developers and the land use committee understands this but feel like city-wide if there's going to be more meetings and interactions with developers it's over all positive change. I'm sure that they would be supportive of a variety of tweaks that have been mentioned here. The land use committee would also ask city council to require in this code that developers also contact neighboring organization if the proposed project is on a boundary line or within a certain proximity of other geographic boundary lines knowing that the impacts of large development don't end at neighborhood boundary lines. Then additionally, our committee would also encourage that the code be accompanied with supporting materials as have also been discussed best practices, guidelines for developers engaging with neighbors, and as recommended by city staff. Then lastly, the committee and my program would just we greatly appreciate the bureau of planning and sustainability's thought and effort that went into this, particularly sarah wright who has come to multiple meetings and been very accessible and able to explain all the changes to our neighbors in an understandable, great way. So thank you.

Wheeler: Thank you. Could we get sarah to come back?

Fritz: We have one more.

Wheeler: My apologies. Best for last. Good afternoon.

Heather Flint Chato: Thank you. My name is heather flint shadow. I'm an urban planner, former government planner. Used to run a mixed use zoning program. I'm a sustainability expert and green building consultant. For the last six years I have been collating a large coalition of neighborhoods and business associations, division design initiative. We have many initiatives we have been developing during this time including an initiative on neighborhood notification and community engagement. Through that process we have also developed main street guidelines, top ten policy recommendations for the city of Portland. We have done extensive policy advocacy, data gathering, surveys, public engagement and tried to work with the community on raising design literacy to help people understand it has to do with the form, function, the quality, the durability, the longest, and the liveability of many of our projects. So one of our top recommendations, in fact the top, was notification. We had now 16 projects in our neighborhood very, very quickly without any opportunity to have meaningful and timely input in the process. So we have changed the face of our neighborhood without ever engaging the people in that place about what their vision was for how they wanted development to look. The division green street main street plan was important but did not talk about the architecture beyond very limited amount of design standards. So we would like to just share a little bit about our notification policy, which is now adopted by multiple organizations including the richmond neighborhood association in 2016 now in 2018 by south take neighborhood association and abernathy district. In or top ten policy recommendations those were endorsed by more than 10 different organizations and business organizations. The difference are the size thresholds. Our policy is stronger. Are we asking for the right information to understand really the impacts of a building and how they may fit with the context or not. Do we have the right follow-up requirements. We have developers come to a meeting and never write a single word of notes. So they may say they submitted a letter to you to document what happened but there's no real check in a way to follow up with that so our policy has all three of those. We're grateful sarah has done a wonderful job. Want to compliment her. She's been incredible. I hope that you will get her back immediately. She has incorporated much of our recommendations into the appendix as encouraged items. We would like to, one, quickly support these large signs prior to permit submittal. I would encourage you to actually advocate for a 45 to 60 day time frame. Our policy has these timelines because we have people coming a week before they go in for development permits. It's far to late in the design process for any real change to happen and that can be a missed opportunity for real synergy, and better quality. Neighborhoods under the identity and the context. It's fine

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to shift the responsibility to the developer as long as it goes through the neighborhood association first. We also like to encourage that you take a look at these 25,000 square foot thresholds. I see my time running out. I have some great graphics so I would like to have a little more time to walk through this.

Wheeler: Because you have provided great artwork we will make an exception in this case.

Flint Chato: We really tried to be proactive with tools for you. This square foot metric is really not the right way to evaluate this because it results in very different impacts. It's not consistently addressing the degree of impact. You'll hear from that on doz as well.

Flint Chato: The design overlay zoning amendments, which are different standards and guidelines city-wide which we'll be coming back to advocate for with you. It's not relevant to the context, the scale or the form or the impact. My husband, who is also an architect, put together these graphics to show the difference between if you are on a 50 foot wide lot or 75 foot lot or a 100 foot lot, you end up with a different defacto threshold for triggers of a community meeting. It's too high for a narrow main street, too low for a wide street. You may trigger a 75 foot building at that threshold, which is missing all of our main street buildings. None of them in this context are going to be addressed. It's a big, big concern. It may be too low for a wide main street or city corridor. So we propose and we have written some language for you that you need to go with the 10,000 square foot threshold or four stories. Here's our proposed language. Taking the exact language that you already have, changing that to if a building is less than four stories that it would fit neighborhood contact one and neighborhood contact two if it's four stories or greater. Sarah pointed out some really good elements to me that we needed better parity across the city. We care deeply about the main street impacts because those are some of our greatest assets as a city. However, we realize that it needs to be simple and we need to be responsive to impacts in all of our different contexts. That four stories as much as we might like three on our main streets we wanted to give you something simple. Maybe I could revisit it later. This is the context challenge that we face. This is a graphic produced by bill tripp as part of a mixed use zoning committee in a presentation of unpacking the division problem which never made it to the community but we were there and saw some of the great illustrations that documented what some of the impacts are to these areas. We're not very responsive to the context and this is actually probably smaller development envelope than what we really have. So how that affects some of our greatest assets I think I heard chloe say once our buildings are our brand and I love that. We're hearing from travel Portland they are sending people out to the neighborhoods. It's really a draw for people. These are some of our greatest assets that are part of our identity of how we see ourselves. On the east side where we are underserved for art, these subtle details of these buildings become our art. So when you have a very large building, it dramatically impacts the feel, the character and over all quality of the district as a whole. So why it matters is the context that really impacts us. So poor compatibility, it's not about density. It's about the design.

Wheeler: I don't dispute anything you just said. But getting back to the context of this particular -- this is really about a notification requirement. You're getting into something of a zoning and far conversation.

Flint Chato: Well -- I would be happy to clarify.

Wheeler: Please bring it back and help nail the point home for me.

Flint Chato: If we don't relate to -- one thing is you have those neighborhood meetings. They are very important for helping that developer be a better fit, that development be a better fit in the neighborhood. So this is what we're asking for as part of submittal requirements to really be able to understand context. That's what is in our notification policy that we don't ask people for a context elevation where you can see at a glance whether it's in context or not. So that's something that we could be requiring as part of the

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process to help both neighborhoods and city staff understand how well there's a fit. That building right there would not have triggered a neighborhood notification for development meeting. So things like this, this context elevation can help that big building relate to some of small -- there's are building blocks for southeast neighborhoods. This building fits better with its context. You can see that at a glance. We're asking for that to be part of the city's request. This is just a good example of a successful meeting with the business association where this building came in. We presented our new design guidelines and they heard the business association really concerned about the impacts of the building. Then they heard our presentation on design guidelines. They changed the building design and made it fit better with the context. It's contemporary, high density but it fits better. These very important resources, these meetings can lead to better design. A faster process with developers and a better fit with old and new. We want to make sure the buildings reflect the vision of people who live there. As we're our new vision for our city, are we relating to context? Here we have nothing that relates to context. It may be exciting but we're also building really expensive buildings right now. These are not more affordable buildings. I like them but they are not more affordable when they are cantilevering out. Many of these are using more traditional time tested design practices to add density. If we don't do it well we're turning people off of density. So one of the last things I want to mention as we think about how we grow and evaluating these public goods, we & affordable housing but we also neat quality, liveability and sustainability. We're not tracking and measuring these impacts. We're working on a sustainability scorecard. We encourage you to come to our event for design week. We think that if you were to weigh some of these public goods and think about some of the pieces that we got in our policy, that it might actually help us get better, more sustainable, more affordable context sensitive design.

Wheeler: Very good. You get the plug right at the end. Appreciate your testimony. Could we have sarah and eric come back? I'm sure some people may have questions. First of all I always like to give -- sarah, congratulations. I always love it when I hear people say even if they have an honest disagreement I love it when I hear people talk about city of Portland employees as being thorough, thoughtful and fair minded. Thank you for that. You're making us all look good. Eric, you do all the time. So thank you. Is there any reaction to any of the testimony, the question about the 10,000, about a first right of refusal at the neighborhood association, some of the concerns that maybe were just raised in the last power point presentation about certain types of buildings maybe being out of scale but not necessarily triggering a notification requirement, do you have any, extending the timeline from 35 to 45 to 60? Quick thoughts for us?

Wright: The first right of refusal came up with the planning and sustainability committee. It was something they were interested in but it would require additional time in that 35-daytime period because there would have to be a communication time period in there. It was a concern about extending time that it would take. That came up there. In terms of the threshold being square footage as opposed to, say, stories or far, square footage is something very measurable and easy to address when the permit comes in so a much easier threshold there.

Wheeler: Could I ask a question about that? A couple of people mentioned four stories. It seems like four stories is also pretty easy to measure. Is there some advantage in your mind to the square footage over, say, a story requirement?

Wright: A story requirement actually would be a little bit hard to measure because do you measure it from ground level, from the basement? There's some living room on the ground floor. If four stories is the threshold what about a really large one-story building on a large lot? Does that not -- I think there's questions about --

Wheeler: There's a tradeoff.

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Engstrom: Some of our larger streets too you're going to see most development being over four stories. You'll have a like a street like sandy or mlk, where the expectation is five or six often. Do we want to be triggering automatically every project on some of the larger streets? It's a question too.

Fish: I would was struck by something linda said about at the new seasons I think four neighborhood associations converging on a corner. Where you have the convergence of neighborhood associations and therefore it's a little artificial to say that it's primarily the concern of one neighborhood association or another, could we tweak this to provide a condition under which you might give more than one neighborhood association written notice if it was close enough to the boundary?

Wright: Yes. It could be written into the code that it would be to the neighborhood association, the association within x distance of the site.

Fish: I would be interested in knowing whether that's workable but it seems reasonable where you may have more than one neighborhood association that does have an interest and feels impacted by the design, particularly where they converge. Some geographic boundary I think is worth considering.

Wheeler: Commissioner eudaly.

Eudaly: I just wanted to say thanks to everyone who came and testified. You all brought valuable input to the conversation. I think sarah also did a great job but maybe we have a few more things to consider in my primary concerns are when we talk about public outreach, what's a definition of public. For too long it's been property owners or just the neighborhood association. So when I had bds, they directed the bureau to when we were required, when mailed notices were required to go out to all residents, not just property owners because everyone has a stake in their communities. I don't -- I have never seen a definition of public that defines it as property owners. So i'm glad to see we're expanding that. Then I guess I just want to reiterate a concern although whoever was it -- rna brought the sample document? That was really helpful for everyone who didn't see it, there was just a kind of little spreadsheet or matrix of community concerns and how the developer addressed them. I think in almost all instances there was some kind of change or consideration made that's heartening to me. It makes me feel that these meetings could actually be more productive. I want the public to have a greater understanding of the whole process and when is the time for them to actually -- if they are not satisfied and cannot accept the development what are the steps after that. I'm not going to offer any specific amendments. Sounds like we have some thinking to do before you do the final vote.

Fritz: So i'm concerned about the changes to historic review and design review. That this applies there too. So we had lots of testimony from community members having early input can make things go more smoothly, there's more of an opportunity to change effect the development before it gets too far down the line and becomes a battle. Particularly for historic resource review doing away with the current standards and making it only at 25,000, that could be a huge impact on an historic district.

Wright: All the requirements about the historic review would remain. All the notification requirements where property owners would need to be notified would remain. The requirements would still be in place.

Fritz: I'm looking at page 67.

Wright: The neighborhood contact if it's less than 10,000 square feet there would not be a neighborhood contact requirement.

Fritz: I think that's really problematic. I hadn't realized that until I started looking at the division main street issue. My earlier question is if you're in a plan district, usually in the zoning code the more restrictive applies. What we're doing in this project is getting rid of requirements for neighborhood contact which I think have really benefited developers

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appeared particularly when you get to historic landmarks commission and the design commission, they have very challenging reviews anyway with multiple meetings.

Wright: What we wanted to do with this proposal was to separate it out from the type of land use review or city process and say all projects regardless of where they are in the city deserve the same treatment.

Fritz: This flies in the face of 25 years of planning. We have said in land use review where there is a requirement by state law that community members can weigh in and affect the outcome there should be earlier contact so there isn't that adversarial relationship. I'm okay with this for a building permit because those are done by right anyway as commissioner eudaly said earlier, but for land use reviews and historic reviews and design reviews this is a huge change which maybe others could give me a briefing. I have been to multiple community meetings. Maybe i'm only finding out this this applies there too. I'm very concerned.

Wheeler: I would suggest we continue this. We have heard excellent testimony. This would ordinarily go to second reading but we deliberately are keeping the amendments open to have time to consider that so we have continued this hearing anyway. I'm very appreciative of the work you've both done, sarah and eric. The more I hear about this the more I realize this is an incredibly complex riddle that you're trying to solve. It's the proverbial maroon. Squish one side it pops out somewhere else. So this is really about thoughtful balancing. Is there a particular urgency to this? Is there some reason why we can't continue this out a ways then we can have conversations and see how we can take into account some of the context that's been provided through testimony, some of the issues raised by chris and the planning and sustainability commission respect the work that you have done and others in the bureau have done and see what we can get closer to consensus on this? Would that be okay? We probably need to pick a date at least a placeholder date. I would prefer it not be too soon. I would prefer it to be at least a month out unless somebody tells me that won't work.

Eudaly: I don't think Karla had time for at least a month out anyway.

Wheeler: That would be my suspicion given that we're in the budget process.

Moore-Love: We have absence -- the first day I have everybody in including commissioner hardesty is april 11th. Would that work? 2:00 p.m. Thursday.

Fish: Thursday afternoon? I was going to say an afternoon I would prefer an afternoon meeting because it gives us more time to have these kinds of conversations without the pressure. I would subscribe to that.

Wheeler: Could we make sure it's early or the only thing on the agenda to make sure we benefit from commissioner Fritz's presence on this?

Moore-Love: 2:00 p.m.

Fritz: I'm on city business to go to ashland to speak at the league of cities.

Wheeler: Ashland, huh? I could go. [laughter] is that all day or just at that particular time?

Fritz: It's the following day so I need to catch a plane to get there.

Wheeler: Are you able to be there until 3:30?

Fritz: I am not that far ahead. I have booked a flight but I don't have it in my phone.

Wheeler: What's the week after that?

Moore-Love: Commissioner Fritz is gone both days.

Fritz: On city business.

Moore-Love: You're gone the last week in april so we're looking at may.

Fritz: Since it won't be such a long thing let's have a try for the 11th. I can be there for an hour.

Wheeler: That's good. If we can do a lot of staff work prior to --

Engstrom: Process clarification to make sure we have it right. Are you extending the hearing including public comments or are you closing the hearing --

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Wheeler: We're closing public comment unless there are new amendments or significant refinements in which case we would be obligated to open it up to public testimony on whatever the changes are.

King: The record is closed today but the hearing will continue until april 11th at 2:00 p.m. However, if additional amendments are proposed on that date, public testimony will be reopened at that point.

Wheeler: Exactly.

Fish: It would still be a first reading, so the vote would not occur on that day.

Wheeler: That's correct.

Fritz: Hopefully if we do have amendments we can get them into the agenda ahead of time.

Wheeler: I want to reiterate, I think this is excellent staff work by sarah and eric. We're asking you to do the nearly impossible here. I think we need to acknowledge that. But I think we can -- you provided us an outstanding template to build from and I think we can continue to refine this and get to a place where there's strong consensus here. That could not have happened without you and I appreciate it. This hearing is continued as was described earlier and we're also adjourned. Thank you, everyone.

At 3:33 p.m. Council adjourned.