



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **7th DAY OF AUGUST, 2019** AT 9:30 A.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 Rafael Duenas and John Paolazzi, Sergeants at Arms.

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

COMMUNICATIONS		
740	Request of Tiffany Conklin to address Council regarding the Legal Walls PDX project (Communication)	PLACED ON FILE
741	Request of Tomás Valladares to address Council regarding the Legal Walls PDX project (Communication)	PLACED ON FILE
742	Request of Brittany Quale to address Council regarding the Legal Walls PDX project (Communication)	PLACED ON FILE
743	Request of Joey Williams to address Council regarding the Legal Walls PDX project (Communication)	PLACED ON FILE
744	Request of Quinn the artist to address Council regarding the Legal Walls PDX project (Communication)	PLACED ON FILE
TIMES CERTAIN		
745	TIME CERTAIN: 10:00 AM – Amend Original Art Murals Code to expand the location where murals are allowed (Ordinance introduced by Mayor Wheeler; add Code Chapter 4.11; amend Chapters 4.12 and 4.20) 30 minutes requested	PASSED TO SECOND READING AUGUST 21, 2019 AT 9:30 AM
*746	TIME CERTAIN: 10:30 AM – Authorize grant agreement with Worksystems, Inc. for the SummerWorks youth employment program and Black Male Achievement Initiative within City Bureaus for summer 2019 for an amount not to exceed \$551,600 (Ordinance introduced by Mayor Wheeler) 30 minutes requested Motion to add emergency clause because it is in the public interest to get the money out the door as quickly as possible: Moved by Fritz and seconded by Fish. (Y-4) (Y-4)	189655 AS AMENDED

CONSENT AGENDA – NO DISCUSSION		
Mayor Ted Wheeler		
Bureau of Development Services		
747	<p>Authorize a Letter of Agreement with the American Federation of State, County, and Municipal Employees Local 189 and Professional Technical Employees Local 17 permitting Plan Review Staff to review certain mechanical permits during periods of high workload, economic downturn, employee turnover, and vacation (Second Reading Agenda 705) (Y-4)</p>	189636
Bureau of Planning & Sustainability		
*748	<p>Reaffirm annexation to the City of Portland of property within the boundaries of the City Urban Services Boundary in case number A-1-18, on the west side of the City on the northwest side of NW Hilltop Dr and provide a revised legal description and map meeting the standards of the Oregon Department of Revenue (Ordinance; amend Ordinance No. 189308) (Y-4)</p>	189637
Office for Community Technology		
749	<p>Authorize an Intergovernmental Agreement with Multnomah County, the City of Fairview, the City of Gresham, the City of Troutdale, and the City of Wood Village to oversee a Municipal Broadband feasibility study (Second Reading Agenda 706) (Y-4)</p>	189638
Office of Management and Finance		
*750	<p>Authorize an agreement with Southeast Uplift Neighborhood Program Inc. to hire an independent contractor to manage the Portland United Against Hate program and coalition in an amount not to exceed \$36,538 (Ordinance) (Y-4)</p>	189639
*751	<p>Pay property damage claim of Lonnie Thompson in the sum of \$5,273 resulting from a vehicle collision involving the Portland Police Bureau (Ordinance) (Y-4)</p>	189640
*752	<p>Pay property damage claim of Valley Scapes in the sum of \$10,142 involving the Portland Bureau of Transportation (Ordinance) (Y-4)</p>	189641
*753	<p>Pay property damage claim of Anthony Van Ho in the sum of \$6,381 resulting from a motor vehicle collision involving Portland Parks and Recreation (Ordinance) (Y-4)</p>	189642
Portland Housing Bureau		
*754	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Lombard 2 located at 5150 N Lombard St (Ordinance) (Y-4)</p>	189643

*755	Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Marquam Hill Apartments-Building 1 located at 3192 SW 12th Ave (Ordinance) (Y-4)	189644
*756	Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Marquam Hill Apartments-Building 2 located at 3158 SW 12th Ave (Ordinance) (Y-4)	189645
<p align="center">Commissioner Jo Ann Hardesty</p> <p align="center">Portland Bureau of Emergency Management</p>		189646
757	Repeal outdated City Code Title 12 Air Pollution Emergency Episodes (Second Reading Agenda 711; repeal Code Title 12) (Y-4)	
<p align="center">Commissioner Chloe Eudaly</p> <p align="center">Bureau of Transportation</p>		189647
758	Authorize an Intergovernmental Agreement with Oregon Department of Transportation for the right-of-way services of the Seventies Neighborhood Greenway project (Second Reading Agenda 717) (Y-4)	
<p align="center">Commissioner Nick Fish</p> <p align="center">Bureau of Environmental Services</p>		189648
759	Authorize an Intergovernmental Agreement between the Bureau of Environmental Services and the Port of Portland for use of each agencies' compressed natural gas fueling facility in the event that such party's facility is inoperable not to exceed \$1,000 per calendar year (Second Reading Agenda 718) (Y-4)	
<p align="center">City Auditor Mary Hull Caballero</p>		APPROVED
760	Approve Council Minutes for January - June 2018 (Report) (Y-4)	
<p align="center">REGULAR AGENDA</p> <p align="center">Mayor Ted Wheeler</p> <p align="center">Bureau of Development Services</p>		CONFIRMED
761	Appoint Dan Carlson, Tom Lisch, Bryrick Shillam and reappoint Karla Divine and Jesse Fox to the River Community Advisory Committee for three-year terms (Report) 10 minutes requested Motion to accept the report: Moved by Fish and seconded by Fritz. (Y-4)	
<p align="center">Office of Management and Finance</p>		

August 7, 2019

<p>762</p>	<p>Accept bid of Anderson Environmental Contracting, LLC for the City of Portland Fuel Station Replacements Project for \$4,078,258 (Procurement Report - Bid No. 00001238) 20 minutes requested Motion to accept the report: Moved by Eudaly and seconded by Fritz. (Y-4)</p>	<p>ACCEPTED PREPARE CONTRACT</p>
<p>763</p>	<p>Accept bid of Stettler Supply Company dba Stettler Supply & Construction for the NE Broadway & 94th Pump Station Upgrade Project for \$1,799,126 (Procurement Report – Bid No. 00001242) 10 minutes requested Motion to accept the report: Moved by Fish and seconded by Eudaly. (Y-4)</p>	<p>ACCEPTED PREPARE CONTRACT</p>
<p>764</p>	<p>Authorize water revenue bonds to finance water system capital improvements and refund water revenue bonds (Ordinance) 10 minutes requested</p>	<p>PASSED TO SECOND READING AUGUST 21, 2019 AT 9:30 AM</p>
<p>765</p>	<p>Approve findings to authorize an exemption to the competitive bidding requirements and authorize the use of the alternative contracting method of Construction Manager/General Contractor in connection with the Downtown/Old Town SW Main/Taylor Sewer Rehabilitation Project for an estimated amount of \$7.1 million (Second Reading Agenda 725) (Y-4)</p>	<p>189649</p>
<p>Portland Housing Bureau</p>		
<p>766</p>	<p>Establish an annual residential rental unit registration fee to fund the Housing Bureau’s Rental Services Office from the Housing Investment Fund (Second Reading Agenda 727) (Y-3 Eudaly, Fish, Wheeler; N-1 Fritz)</p>	<p>189650</p>
<p>Commissioner Chloe Eudaly</p>		
<p>Bureau of Transportation</p>		
<p>767</p>	<p>Vacate portions of SE 106th Ave, SE 108th Ave, SE 110th Ave, SE Bybee Blvd, and SE Duke St south of SE Foster Rd subject to certain conditions and reservations (Hearing; Ordinance; VAC-10124) 10 minutes requested</p>	<p>PASSED TO SECOND READING AUGUST 21, 2019 AT 9:30 AM</p>
<p>768</p>	<p>Amend Vehicles and Traffic and Public Improvements codes to add necessary clarification and update language to align with current City practices (Second Reading Agenda 728; amend Code Title 16 and 17; add Chapter 17.109) (Y-4)</p>	<p>189651</p>
<p>769</p>	<p>Vacate SE 64th Ave south of SE Sherman St subject to certain conditions and reservations (Second Reading Agenda 729; VAC-10122) (Y-4)</p>	<p>189652</p>
<p>770</p>	<p>Vacate a portion of SW 9th Ave between SW Gibbs St and SW US Veterans Hospital Rd subject to certain conditions and reservations (Second Reading Agenda 730; VAC-10123) (Y-4)</p>	<p>189653</p>

August 7, 2019

Commissioner Amanda Fritz		
Water Bureau		
771	Amend contract with AECOM Technical Services, Inc. to provide \$1 million in additional funding for the Engineer of Record services required to complete the Reservoir Structure for the Washington Park Reservoirs Improvements Project (Ordinance; amend Contract No. 30003252) 10 minutes requested	PASSED TO SECOND READING AUGUST 21, 2019 AT 9:30 AM
772	Amend contract with Cornforth Consultants, Inc. for geotechnical design services for the Washington Park Reservoir Improvements Project in the amount of \$830,000 (Ordinance; amend Contract No. 30003064) 10 minutes requested	PASSED TO SECOND READING AUGUST 21, 2019 AT 9:30 AM
773	Authorize a contract with West Yost Associates for construction support services for the Washington Park Reservoirs Improvements Project in the amount of \$6,199,300 using a sole source procurement (Ordinance) 10 minutes requested	PASSED TO SECOND READING AUGUST 21, 2019 AT 9:30 AM
Commissioner Nick Fish		
Bureau of Environmental Services		
774	Amend ordinance to authorize a competitive solicitation and contract with the lowest responsible bidder for construction of NE Broadway & 94th Pump Station Upgrade Project No. E10783, in the amount of \$1,799,126 (Ordinance; amend Ordinance No. 189438) 10 minutes requested	PASSED TO SECOND READING AUGUST 21, 2019 AT 9:30 AM
775	Amend contract with Moore Excavation, Inc. for additional compensation to complete existing contract work due to increased bid item quantities and changed conditions for the Slabtown Sewer Replacement Project No. E10663 not to exceed \$4,157,000 (Second Reading Agenda 737; amend Contract No. 30006131) (Y-4)	189654

At 12:01 p.m., Council recessed.

August 7, 2019

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **7th AY OF AUGUST, 2019** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly and Fish, 3.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Naomi Sheffield, Deputy City Attorney; and John Paolazzi and Rafael Duenas, Sergeants at Arms.

Motion to waive reading the rules of order and decorum: Moved by Fish and seconded by Eudaly, without objection.

776 **TIME CERTAIN: 2:00 PM** – Arts Affordability Progress Report
(Report introduced by Commissioners Fish and Eudaly) 30
minutes requested
Motion to accept the report: Moved by Fish and seconded by
Eudaly.
(Y-3)

ACCEPTED

At 2:42 p.m., Council adjourned.

THURSDAY, 2:00 PM, AUGUST 8, 2019

**DUE TO LACK OF AGENDA THERE WAS
NO THURSDAY 2:00 PM MEETING**

MARY HULL CABALLERO
Auditor of the City of Portland

**Karla
Moore-Love**

Digitally signed by
Karla Moore-Love
Date: 2020.04.27
12:00:32 -07'00'

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

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

August 7, 2019
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.

August 7, 2019 9:30am

Wheeler: Good morning everyone this is the August 7, 2019 morning session of the Portland city council, Karla please call the roll.

Hardesty: Eudaly: Here. **Fritz:** Here. **Fish:** Here.

Wheeler: Here, we'll hear from legal counsel now, good morning.

Lauren King, Deputy City Attorney: 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 city council meetings so everyone can feel welcome, comfortable, respected and safe. To participate in council meetings, you may sign up in advance with the clerk's office for communications to briefly speak on any subject. You may sign up for public testimony on resolutions or the first readings of ordinances. Your testimony must address the matter being considered at the time must, if it does not you may be out of order. When testifying please state your name for the record, you're address is not necessary. Please disclose if you are a lobbyist, if you are representing an organization please identify it. If you're representing an organization, identify it. The presiding officer determines the length of the 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 red light goes on. If you are in the audience and would like to show your support for something that is said please feel free to do a thumbs up. If you want to express that you do not support something, please feel free to use a thumbs down. Please remain seated in council chambers unless entering or 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 ejected for the remainder of the meeting. After being ejected a person who fail to leave the meeting is subject to arrest for trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

Wheeler: First up is communications and Karla, it is my understanding the five individuals signed up for today would like to come up together. Is that correct?

Moore-Love: I believe so.

Wheeler: I'm seeing head nods. Call all five, please.

Item 740-744

Wheeler: Excellent, thanks welcome.

Tiffany Conklin: Thank you so much for having us today we're excited to talk to you a little bit. My name is tiffany Conklin, I'm the executive director of Portland street art alliance. We are a 501-c3 nonprofit organization based here in Portland. Our mission is to empower and support street artists to activate the spaces where we live, work and play. We were founded back in 2012, primarily at first as a grass roots advocacy group. We really wanted to help artists try to find their voices and be able to speak up about things happening at the time, thus we now often act as an intermediary between property owners, the city of Portland and sometimes police. Since our founding, we've evolved quite a bit, and we now provide a lot of educational resources, networking platforms and opportunities to artists in the community. In the fast past two years, we've facilitated nearly \$200,000

August 7, 2019

going into the hands of hardworking artists in our city. We get e-mails on almost a weekly basis, from emerging artists, parents of artists and visiting artist all looking for easily accessible places in the city to paint, practice and display their art work. They're often surprised that Portland doesn't have anything called what is commonly referred to as a free wall or legal wall. Many of us in Portland, you need a mural permit to paint anything legally in Portland. Our permitting process, admittedly much better than this used to be thanks to hard work of a lot of advocates and people working towards making it better, it is restrictive and it is intimidating for artists to go through that process. It takes about a month to complete that process, so when you think about it try it, when a visiting artist wants to paint that is something hard for them to do without a lot of prior planning and without somebody here doing on the ground doing that work for them. Many cities around the work have designated spaces known as fair legal walls. have free or legal walls that you can paint with very few barriers so we see this as a gap in our programming here in the city, and a need the city is not currently providing. Providing safe and open spaces for people to paint and removing some of these barriers would go a long way to help ensure our public art landscape is more equitable and accessible to everyone in the city. Thank you.

Wheeler: Thank you.

Tomás Valladares: Hello, my name is Tomás Valladares. I am one of the founding directors of Portland street art alliance and now the board chair. We're here to share with the city council the need for the sanctioned spaces of free expression in our city and we believe a legal wall or free wall would address some of these concerns that are lacking in the community, specifically places to practice and places where artists can learn from each other. As a result of more aggressive graffiti abatement tactics used in the past, we can believe there is a lack of vacuum of leadership in the street art community. An important part of the street art culture is this informal cross generational mentorship that happens in these spaces where emerging artist can learn from the more senior artists for the sort of unwritten rules for the values of the culture. There is fear, mistrust and unease in the artist community about interacting with the city, its permitting structures and graffiti enforcement. For artists used to working outside of that system, having a safe space to paint without risk of persecution or prosecution is something we think is lacking in the community and something young emerging artists can benefit from. After years of digging, psaa realized there was no empirical research or primary data on the subject of legal walls, free walls and their impacts on communities. After speaking to city staff, we realized it would be up to us to do this research and help educate the public and the city about these type of spaces. Other municipalities u.s. ss Spokane, Kennewick, Washington have already reached out to us, interested in this research and we feel it would be very beneficial to making street art and mural art across the country. As a small organization we couldn't do it ourselves, so last year we applied for psu's masters of urban and regional planning workshop and our proposal was accepted and we are lucky enough to be teaming up with a group of six graduate students, some are here today to tell you about the research they conducted.

Wheeler: Great, thank you.

Brittany Quale: Council, my name is Brittany Quale, and I'm a recent graduate of the Portland state university's masters of urban regional planning program and in collaboration with the Portland street art alliance, a team of students myself proposed the legal walls pdx a proposal to make the graffiti and street art community more inclusive and connected by planning for a legal graffiti wall in the central east side industrial district. A free legal graffiti wall is a public space where people are free to legally paint, allowing them to practice and connect with other artists, to develop the proposal, we began our process with research, conducted engagement and finally analyzed and synthesized our findings to produce recommendations. So we researched respected graffiti literature and spoke with graffiti and street art experts, we produced case studies and looked at walls across the country

August 7, 2019

and the globe and considered the local context. We utilized the city of Portland bureau of planning and sustainability community engagement manual to the guide the engagement process and as a planning team we framed our approach from an equity lens from the start of the process. We engaged with many stakeholders that represent unique perspectives and form through different lived experiences. We innovate 11 artists and gathered feedback through more than 40 online surveys. We conducted 20 interviews with public sector representatives, we spoke with businesses, property owners and managers. We interviewed a dozen people experiencing houselessnesses in the central east side industrial district, and we had conversations with potential program partners including pear and northwest youth projects. So, sitting here now, I can affirm that this project has immense value for artists, businesses and the community. A legal wall could provide a safe legal space for expression which artists, especially those of historically marginalized identities. An accessible platform for mentorship, for new and emerging artist who become interested in creating public artwork like murals with nearby businesses and a safe place for art, the artist community, to connect, grow and develop new skills. A legal wall could provide an opportunity grow the east side industrial districts distinctive street art infused character, an opportunity develop positive relationships between the street art and business communities and an amenity that will attract visitors and new businesses to the area. Personally, I was incredibly moved to hear the story of a young artist who discontinued their practice on the street because of their undocumented status in this country. A legal graffiti wall could find a safe space for these artists and others who face safety concerns that are integrately tied to their identity. The legal walls pdx plan outlines in detail four categories of recommendations including legal pathways, design, stewardship and programming and partnership which is my fellow graduate joey Williams will describe in further detail. Thank you.

Wheeler: Thank you. Good morning.

Joey Williams: Good morning, council. My name is Joey Williams, and I'm the other masters of urban regional planning graduate on the project. Thank you for having us here today. I will be discussing the findings of our project in more detail. From our research, we came to understand why Portland might benefit from having a free wall, how it should operate in order for it to be successful and what it could mean for communities and emerging and young artists, specifically here in Portland. The reasons for free wall include as my colleagues mentioned opportunity advance equity and safety for artists, a space safe for expression, a platform for developing and growing community, a space for mentorship to improve quality and skills and pass on the codes of conduct, norms and ethics in the street art and graffiti community. One of the first and most frequently heard concerns from property owners in the central east side is the concern for hate speech persisting in the space and the prevailing ethical code in the graffiti and street art community here is hate speech should be first covered when an artist puts up a new piece but this practice needs a space to be passed down new and emerging artists. Lastly, benefits include a developed economic potential. The development of artists can lead to employment opportunities to produce more murals and other creative projects that will beautify our cities, be intentionally more representative and help contribute to the character of the surrounding community. We heard that new businesses have chosen to locate in specific areas in the central eastside for the expressive neighborhood character provided by street art. From interviewing artist, property owners, managers and operators the view of operators of free walls around the world we have determined a set of design and management practices describing how a free wall should look and feel, how to set norms that are free wall, manage waste and how to create a positive, inclusive atmosphere. Our research also provoked opportunities to expand existing programs for young artists and youth experiences houselessness interested in art in Portland. The only thing that is

August 7, 2019

stopping all of this from happening is the legality of a continuously changing free wall for inclusive public expression in Portland. One of the ways to make this happen is we discovered through interviews with many city staff involved in the mural code in some way from bds to the office of civic and community life and city attorney is to address the current mural code which stipulates the period of mural type upkeep. Addressing this in some way maybe paired with other solutions to at least allow a pilot for this project. So another avenue that we support is to expand the regional arts and culture council racc to implement a legal wall through the public arts program. However this to happen, we recognize that a implementer, property owner or manager and several parties will have to form an agreement of how the free wall is established and maintained. Our report provides recommendations on these steps and we suggest doing so with the input and buy-in with the surrounding community, artist and law enforcement throughout that process. We encourage you and invite you to read or short form plan which has been provided as well as our summary from a longer form plan. I'd like to hand it over to an artist we spoke to earlier, Quinn the artist for you to hear his insightful perspective on the free wall in Portland.

Wheeler: Thank you, is in the report you're referring to?

Williams: That's the summary and there is a longer form available online.

Wheeler: Appreciate it. Thank you very much.

Quinn: Good morning, council. My name is Quinn thank you for having us here. I am an emerging muralist and painter here in Portland and about two-years ago I realized I could paint and paint really big. I started painting walls in my house, the outside, the inside and I realized I just had a passion for it and that led me to contact the psaa Portland street art alliance and contacted them about a mural wall and since then, they've given me my first legal mural inside their garage, and that really allows me to grow. That was the first time I was able to take my time to paint and really enjoy the process of it and in the end it sparked my passion for painting. Since then, I've been involved in some other mural projects but more so invitational ones and commissioned ones and since they started this project with the legal wall, it is really made me realize that having a legal wall allows your work to first off be 100% you, there is no restrictions, it is a spot to really take your time and feels validating. It is a validating experience just painting and it is more importantly a safe spot to paint. I see it as being a spot where you can take your time and connect with others. It feels very special to be on a mural project, connect with people, as I mentioned I'm an emerging artist and connect with people that have been painting much longer than me and bring my friends along, it is a very communal, a community event. I'm very excited to bring my peers along and people who have never picked up a spray can before and feel that passion. And more importantly, as developing new skills, this is a spot to have fun, really express yourself however you want, and legal too. I remember the first time wanted to paint, I looked outside my house and saw some walls around, but refrained and I'm thankful for psaa as well. As I mentioned in this booklet you guys have, as kids have playground to play and skateboarders have skate parks to skate, I see artists needing a wall to paint and thank you for listening.

Wheeler: Thanks for being here. Commissioner Eudaly and then commissioner Fritz.

Eudaly: I want to thank you for coming. I'm excited about this and grateful for the work you've done. As I think some of you know I have an ambivalent relationship, one of the ironies of my job is each the commissioner of graffiti removal given I'm a long-term fan and supporter of street art. Not illegal tagging I'll just say that right now, I don't save the e-mails, I'm not encouraging that. This is a beautiful idea and I'm looking forward to working with you guys on it.

Wheeler: Commissioner Fritz.

August 7, 2019

Fritz: I used to be in charge of the graffiti abatement program and the long time coordinator of that said that the difference between art and vandalism is finishing. I appreciate you coming in and asking for permission to paint the wall. Did the research show having the legal wall increase or decrease graffiti in the rest of the city?

Quale: I would say it is inconclusive. There is not -- we heard anecdotal evidence for or against that statement, but it is inconclusive.

Fritz: And nobody has done any research on that?

Williams: We decided it was inconclusive because of the way the data was collected on these incidents, you can't catch everything so directing areas to monitor kind of biases the research. We also didn't want to pose it as an abatement solution. This is more about creating a platform for expression for everyone.

Fritz: So you were mentioning the code of ethics and one is you're not supposed to paint over something that is more beautiful than you can do or something like that.

Quale: Yes.

Fritz: Could also be an element of education and training for artists that painting somebody's else's wall as you said you refrained. Artists in the eye of the beholder, so I would be quite upset if somebody chose to paint something of their choosing on my house because I might not like it. So could there be an element of that, if this was set up?

Conklin: Yes, I think part of the idea here is having a space where everyone can congregate and go would provide those opportunities for connections to be made so a lot of the requests, as well, coming specifically from parents that we get for providing mentorship opportunities for their youth who are interested in this. Basically, we help try making those connections with more established artists all the time, but they have to then first know to come to us to make those connections happen. Traditionally throughout the world when you google free wall legal walls, usually what those are kids are googling trying to find spaces to go connect with the community. So I think if Portland had a designated space like that, it would provide that platform, basically, where youth who are just getting into this idea to that space and other people would be congregated there and they would have that opportunity for at least finding that out. Part of the recommendations is also posting signage on whatever space this was with some of those roles about, like you will said, only tagging over something that is more beautiful, there is a hierarchy on that is encouraged and also, you know, it would provide information about the Portland street art alliance and ways of getting involved in the larger art community. We kind of see this as a focal point and platform for those who really don't know how to get involved and find organizations like us.

Valladares: I think that the Tacoma, there was a free wall space in Tacoma that they had posted signage stating the rules and it's not necessarily about what's more beautiful but maybe more intricate, and sort of there is like a skill level that's involved. And, then, Burnside skate park is another example of a signage that sort of states the rules of the space and what is expected of people in that space. So I think those are great examples of what could also be done in a space like this. And we also hope that creating a pilot wall would be a great place to start in doing some of the research and seeing at least if that does decrease some tagging in the area or provides, you know, a way to mitigate some of the unwanted tagging.

Fritz: Thank you.

Wheeler: Great. Just to be clear, so I understand, first of all, thanks for the presentation, I appreciate it and I look forward to reading the research you've done through psu. We're not talking about he will legal tagging, we're not talking about going on people's private property against their will and vandalizing that property and we're not on public spaces either, I want to be clear, I oppose that. It sounds like what you're suggesting is you want to create a partnership either with a public entity or private second enterprise who has a

August 7, 2019

wall and reach some kind of community agreement and into a pilot. Am I hearing you correctly?

Conklin: Yes.

Wheeler: Is there something in our codes that prevents that from happening.

Conklin: Yes.

Wheeler: So what you're asking for is a proposal that will then come back to us for consideration as a pilot when view a private sector partner who is good to go and you feel like you have a viable location. Fantastic.

******:** Yes

Wheeler: That seems like a very reasonable approach and appreciate it. Thanks for coming in it today.

******:** Thank you.

Wheeler: Karla, have they items been pulled from the consent agenda today.

Moore-Love: I've had no questions.

Wheeler: Very good, call the roll.

Eudaly: Aye.

Fritz: I'm voting aye but I will continue to note the disappointment in getting six-months council minutes for I think 2018 in august of 2019, unfortunately I've not been able to go through six-months of council minutes for meetings that happened last year, but I still vote aye.

Fish: Aye.

Wheeler: Aye, the consent agenda is adopted. First item is, it is not 10:00 so we will skip the first time certain item. We have a bunch of second readings. Let's go to 765 please.

Item 765.

Wheeler: This is second reading, we had a good presentation on this and took public testimony is there they further discussion? Please call the roll.

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

Wheeler: Aye, the ordinance is adopted. [gavel pounding] next item, 766.

Item 766.

Wheeler: Any further discussion on this item? If not, please call the roll.

Eudaly: In passing this item, Portland will join with many other major cities in the country that require simple registration of rental units. The \$60 fee will not fully fund the office, I believe, but should cover the costs of registration and support information referral for landlords and tenants. I vote aye.

Fritz: I would have supported this if it had come to us last year, before the other changes. I agree we need a registration program and it needs to be funded, however, on top of all of the other additional regulations we've put on landlord and the fact this fee is not going to help pay for a universal inspections which most registration fees do, also it is regressive and doesn't exempt the really low cost housing, such as manufactured home parks, so regretfully, I vote no.

Fritz: I thank the mayor and commissioner Eudaly for their leadership on this, I vote aye.

Wheeler: Thank you, I'm pleased to support this rental registration fee. This has been a commitment and priority of mine since I took office. This fee will ensure we have the on going resources to fund the office of renter services and establish a system collect more accurate data of the rental market in Portland. I want to add quality data is something that landlords and developers and tenant rights organizations have requested. This is the way we help fund the program to do that. I want to thank the Portland housing bureau staff, especially director Shannon Callahan and Mat Tcshibold, the revenue degrees director, Thomas Lannom who is probably put in more time and more hours on this than just about anything else in the last several months, and I want to thank Thomas for that. And I want to thanks members of my staff who worked tirelessly on this especially Cupid Alexander, my

August 7, 2019

chief Kristen Denis and Tia Williams and I vote aye, the ordinance is adopted. The next item, 768, also a second reading.

Item 768.

Wheeler: Colleagues, this is also a second reading? Any further discussion? Seeing none, please call the roll.

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

Wheeler: Aye, the ordinance is adopted. 769, second reading, please call the roll -- read it, sorry, first and then call the roll.

Item 769.

is there any further discussion? Call the roll.

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

Wheeler: Aye, ordinance is adopted. Second reading 770.

Item 770.

Wheeler: Any further discussion? Seeing none, please call the roll, Karla.

Eudaly: Since I lost track of where we were and forgot to do my thank yous on 768, I want to say thank you to pbot staff Matt Burkhow and Helen Gemalemota for their work on 768, and as for 770, I vote aye.

Fritz: We're getting through the agenda, we have to make long speeches so we can get to 10:00. [laughter] we should read the entire ordinance. No, I'm happy to vote aye.

Fish: Aye.

Wheeler: Aye, the ordinance is adopted. 775, second reading.

Item 775.

Wheeler: This also a second reading. Any further discussion on this item? Seeing none, please call the roll.

Eudaly: Aye.

Fritz: Even if I wasn't trying to spin it out for a minute to get to 10:00, I would still say this is one of the most interesting sewer presentations I have ever seen in 10 1/2 years and we all know why it is called slab town. Aye.

Fish: I want to echo those comments and thank liz moorhead and nick Neval who did an excellent job of walking through this last week. Very proud of the work my team is doing and we have set a very ambitious goal in the next 10-years of upgrading significantly the quality of our infrastructure, but occasionally we run into unforeseen circumstances like this that require us to come back and seek additional resources. But the team is doing great work and I'm pleased to support this item, aye.

Wheeler: I agree with commissioner Fritz, who would've know that talking about the sewer system in our city could actually be a really interesting narrative and a number of mysteries solved along the way. It was interesting as well as gaining a historical perspective, great presentation, good discussion I vote aye. The ordinance is adopted and it is 10:00 on the nose. We will go to time certain, number 745.

Item 745.

Wheeler: We just heard very good testimony in one aspect of public art and this ordinance we have Mieke Keenan with the director of development services and phil Nameny with the bureau of planning and sustainability, they're here to jointly present recommendations to amend title 4 of the original art murals code. The history of mural regulations in the city stretches back more than 20 years, and it is tied to the city's sign regulations and the Oregon constitution and limitations of the government's ability to regulate the content of speech. I'm guessing that's article 1, section 8. In short, the courts have determined the city cannot regulate murals or art work distinct from signs if the distinction requires viewing the content of the piece to make a regulatory determination. In response to the legal limitations, the city developed two procedures for reviewing murals. The first project, public art murals expanded the city's existing public art program to include murals. As a patron

August 7, 2019

funder of the arts, the city through the regional arts and culture council also known as racc evaluates murals for inclusion in the city's public art's program. Second, the city adopted the mural code for smaller scale mural that intend to be a community asset. The mural code provides a legal permitting avenue separate from signs and the racc process this code, this code along with the associated administrative rule allows a applicant to get a permit by meeting minimum criteria for reviewing and approving murals based upon application and not based upon content. These criteria include but are not limited to the height location and minimum duration a mural must remain in place, these regulations have been largely successful. Bds issued approximately 15 to 20 mural permits a year since it was adopted back in 2009. Permit requirements are simple and low cost, \$50 per permit. Staff have found the code relatively easy to apply. The amendments being proposed today are intended to build on the success of the code by loosening some of the exist regular instructions and allowing more places that murals can be installs. I would also like to thank the Portland street art alliance and the regional arts and culture council for working with staff on this important project. With that, I'll call up Mieke Keenan and Phil Nameny. Thanks for being here this morning.

Phil Nameny, Bureau of Planning and Sustainability: Good morning.

Mieke Keenan, Bureau of Development Services: Good morning. Thank you all for hearing our presentation this morning. My name is Mieke Keenan with the bureau of development services, I'm here with Phil Nameny from the Bureau of Planning and Sustainability from planning and sustainability and Peggy Kendellen from the regional arts and culture council is here for invited testimony.

Wheeler: Very good.

Keenan: We are here today to talk about title 4 original art murals and for our agenda, this is a relatively short presentation today. Phil will be reviewing the code history and background, as well as the purpose of the code, and then I will run through an implementation update, code amendment recommendations as well as administrative rule changes and then we will be available to answer any questions you might have. So, with that, I will turn over to phil.

Phil Nameny, Bureau of Planning and Sustainability: Good morning mayor wheeler and commissioners.

Wheeler: Good morning.

Nameny: Phil Nameny with bureau of planning and sustainability. I actually have worked on all the different code iterations of the mural projects as it has gone through history, also if you want to know a little bit more about all the legal issues that have come about, Tracy reeve has been there from the start and I'm sure over a cup of coffee she would be happy to explain the details of that. I do want to mention at one point, the city did distinguish murals from other painted wall signs, we actually had painted wall decorations and painted wall signs this was challenged in court by ak media which is now owned by clear channel, and they were successful and their actual intended outcome was to throw our sign code and any code that related to signs out and instead what we basically did was do the inverse and take any reference to murals out or painted wall decorations and so, in 1998, that was when we removed that language. So for a period of time, any kind of mural was treated just like a sign. The reason why this happened is, as mayor wheeler mentioned, the Oregon constitution actually has more -- I don't know if you can say more liberal or more restrictive, but basically how you can regulate free speech is more restrictive under the state constitution than it is under the federal, whereas elsewhere you can potentially distinguish between commercial and noncommercial speech. In the state of Oregon, you cannot make that distinction so you cannot declare something be a non-commercial speech item and something else be a commercial and regulate them differently. So, as a result, murals which tended to be a noncommercial expression were placed under the sign

August 7, 2019

code. Our former mayor, mayor Katz wanted to find a way to try to encourage at least some avenue to do, provide murals, and she worked with the regional arts and culture commission to develop what was known as the public art mural program, and what this did is it basically incorporated public art murals into the city's art program. So just like other works of public art, the racc could review and approve and essentially take ownership of a mural as a part of the city's public art program and that passed in 2005. It was a partial solution. It still did not get, at some of those kind of community-driven mural or situations where a school might want to go through with a mural artist and they don't necessarily need funding from racc, they don't really want to be part of the city's public art program, but they wanted to have the ability to prep a mural. While this was all going on, there was still legal remandes and things going on and what we found 2008 it was found that there was a determination that city could potentially regulate a mural without looking at content, if they could look at other things, such as how it is applied, the maybe time, place, manner-type things and out of that came what was known as the original mural, original art mural program which we approved in 2009 because of the history of litigation with sign companies, we took a cautious approach to that. When adopting the code, we limited it to be placed on the exterior walls of buildings. We limited the height of it because we wanted it to be a community asset that was at a pedestrian level and not high up. We did provide a requirement the mural stayed in place for five-years, the idea it being something the community could rally around and something they could identify with. And so those are some of the main things we put on there. I do want to mention, we did create a title for a new title for the original art murals, we kept that title simple and put a lot of procedures into that administrative rule, which is administered by bds, and that gives them the opportunity to make change as they see fit in terms of how the application process works, how the neighborhood involvement is done and things like that. One of the things we did do, I know it was mentioned at the beginning, a series of comments at the beginning of the commission session, the original art mural process does take a little bit of time because there is a requirement in the admin roles to meet with the neighbors around there and kind of present the proposal that's not a binding meeting but it is a sense to try to create dialogue between them. All that takes place in the administrative rules and I think Mieke is gonna go ahead and talk a little about the administrative rules as well although the council is just voting on the title 4. And I think with that I'll send back to Mieke.

Keenan: Okay, thank you. So I'm going to give a brief implementation update. So, in the past three-years, we have issued 49 permits which is consistent of the average of 15 to 20 since the code was adopted in 2009. There's objective standards in the code, which people have found easy to apply and the standards are relatively easy to meet. The code is easy to administer and there is a low barrier to entry. So we have a low permit fee. We do ask for a public notification, and this is really intended to pull the community into the conversation and get them engaged with the artist and an original work of art. So they have to post the site where the mural is going to be located 30-days in advance of this meeting, as well as let the neighborhood association know. It is really an invitation for an open meeting and dialogue so that posting needs to be up no shorter than 21-days. So that is where that time lag comes in it, is just for this public notice requirement. So, when we started looking at scoping this project, this really is the first policy change that we're looking at to the code since 2009 and what the on going conversation with the artists in the community was, you know there's really some overly restrictive areas of this code, and because it has been largely successful, we've had a lot of murals installed, let's see if we can expand some opportunities and create some more locations for muralists to install their work. While we are at it, we said there is also confusing restrictions or confusing overlaps and language we could update, as well and reducing the five-year administration rule which falls under the umbrella of expanding opportunities for muralists. So,

August 7, 2019

stakeholder involvement, once we came up with this original scope of the project, we assembled a technical advisory committee, with I includes the bureau of planning and sustainability, the bureau of environmental services, the Portland bureau of transportation as well as the graffiti abatement program with the office of community and civic life, as well as racc and the Portland street artist alliance and Multnomah county for ideas on how to expand opportunities in the city. So, for the code changes, the simpler changes were really some clarifications and update, and we wanted to clarify where the code applies. As the code is currently written, you're not allowed to have a mural in the right of way, and we added a section that says if a mural begins on private property and encroaches into the right of way then that's allowed, so if its on a fence or a building that may encroach into the right of way then that would be okay. We also updated the definition of grade, so grade is where a building meets the ground, and that is where we measure the height of the mural from and that definition matches the Oregon structural specialty code definition which has changed since 2009 so we wanted to update that, as well. And the primary policy change for title 4 is really to expand the locations where murals can be installed and we did this by changing the definition so by definition a mural must be affixed to the side of a building. This is the actual definition you see in the code and that underlying pieces were adding two words, "or structure." This really is going to allow murals to be located on more structures and a structure is anything that can be built in or on the ground, it includes retaining walls, flag poles, buildings decks, anything of that nature and it doesn't include landscaping and it doesn't include paved areas, so this really creating more opportunities on private property. Then we have a handful of administrative rule changes as phil mentioned, so the code amendments really go hand in hand with these administrative rules. Removing the height requirement in the design overlay zone, title 4 currently has a height restriction at 30 feet, which is to keep murals as community asset. We want to make sure they are accessible to a community and this also limits the attractiveness of potential advertisers as an avenue to get a permit, if they often want to see, you know, a lot of visibility and things up high. So this keeps it as a community asset. Reducing the minimum duration from five two-years. Right now a mural must be maintained for five and we're proposing to reduce that to two-years, which might make it more acceptable or attractive to a building owner who is a little resistant to having a mural for five-years and maintaining it. Two-years might be something that would, you know, make it more feasible for them.

Wheeler: Can I ask you a question on that? We heard testimony about free walls and the like, and the two-year minimum would not work with that strategy or would it?

Keenan: It would not work with this strategy.

Wheeler: First off can you give some ideas about why the minimum exist and number two it sounds like a pilot project the council and work with racc and work with others and potentially put together some idea or a pilot project that council could consider at a later date. What is the core reason for having the minimum duration, and does this in any way tie back to court rulings? I'm trying to figure out what -- because I understand the admin aspect of it, but why is there a minimum at all?

Keenan: There is a minimum duration that ties back to the standards in place in the design code. This is something we can regulate without looking at the content. If you have no time requirement I would say there's two things, it reduces the community feel too it in creating this sense of place if something can be changing on a daily basis. It is not something everybody in the community is participating in it is more of a revolving project. It also would open the door to allowing revolving advertisements. So because we can't regulate content, an advertiser could come in and potentially have rotating advertisement on a wall.

Wheeler: But the council makes specific carve out exception, for example if we did a free wall, and we're really early in on this conversation, I'm just hypothesizing. If we did it, could

August 7, 2019

the council make a carve out for a limited exception in a specific location? Do we have the ability to shape this further?

Keenan: We do have the ability to shape it further. My suggestion would not be to change the code for a single project, but I think that there are other opportunities to support this project and make it happen. I think we're looking at some other avenues through racc. I don't know if you have anything you want to add to the history?

Nameny: I think one of the things, when you talk about a specific location that lends itself to something that is a partnership with racc how I would see it because racc could possibly help with the management, they could maybe organize if it is going to be a free wall that provides if its an incubator space or things like that it could even be tied into future art kind of thing. The thing that we're always cautious about removing that entirely is the idea that even though our code does say the building owner can't get compensation for displaying the mural, there are potentially other work arounds for a sign company could say, you know, they've not a wall that is a graffiti problem, they could say we'll take care of the wall, we'll maintain it if you let us revolve the sign so that's the one thing. Unfortunately, there is a lot of similarities between the desires of a sign company or an advertiser and a desire of, you know, other forms of expression. Visibility is important. Having the ability to, you know, make changes is important, and those apply equally to both of these situations. So that's tough.

Wheeler: I agree with that, and that was my concern and I'm glad we have racc and others working on this question because there is a balancing act here. We will definitely don't want to open the door for revolving signs all over the place. I remember that debate and this discussion many years ago, I think, at this point. Commissioner Eudaly.

Eudaly: I appreciate your thoughtfulness on this particular item. We are inundated with advertising at every turn. We do not need to provide corporations with more opportunities to bombard the public with advertising. This is about art, so thank you for that.

Keenan: To wrap up the last pieces, 4,5 and 6, we're updating procedures to be consistent with our current practices and these are just some permit procedures that we made. We're adding a definition of "structure" since we're expanding the location from building to structure that it would be helpful to have a definition in there as well and that's the same definition as the zoning code so there is consistency there. And we're looking for general updates to make sure that the administrative rule in title 4 are consistent. So in summary, we're looking to expand locations where murals can be installed through code amendments and administrative rules. I did pull some of the murals from our permitting database just to show a couple of examples of some of the work that's been permitted through this program and this is a tile mosaic on the side of a school building on Iowa street. This is a painted wall mural on southeast belmont street, you can see this includes some text of more of a personal nature and this is also a mural that functions more as advertising. And, then this is also a tile mosaic on the side of a building northeast martin luther king, jr. boulevard. And, then, this is a racc-approved mural on alamar restaurant, and this was done with some students from david douglas high school. So, the options today for council today to adopt the code amendments as recommended and direct bds to update the administrative rule, adopted code amendments with modifications and direct bds to update the administrative rule or to deny the recommendations and maintain the existing code. At this time, I would like to invite Peggy Kendellen with the regional arts and culture council to come up first and invited testimony.

Wheeler: Thank you both, good presentation. Good morning.

Peggy Kendellen: Good morning. Good morning, mayor and commissioners. I'm Peggy Kendellen, senior public art manager at the regional arts and culture council and manager of the public arts mural program which was officially launched in 2005 under the leadership of mayor Vera Katz. Needless to say, racc is excited that the mayors office has brought

August 7, 2019

forward the proposed changes to title 4 and thank you for all of your continued support. I was part of the murals working group that designed the city's original art permitting program in 2009 which we're talking about today and then discussions resurfaced in september of 2017 in commissioner eudaly's office with her and psaa and other city staff at the table so it's been a long discussion, we're here in august 2019. So, racc supports the changes to title 4 presented today. These ideas for change have been simmering over the past several years as we witnessed an increase in artists, neighborhoods, businesses and property owners wanting more murals. Community benefits are real when it comes to public murals. They benefit artists, neighborhoods, business, property owners and tourism. The guidelines for the city's permit were beginning to make it more challenging for the longevity and location these are simple changes that align with the original intent to the code and should encourage more arts and community's to bring more art to urban landscape. We've all seen the positive impacts of murals in our city and how they supported the creative economy and by putting dollars in the pockets of artists. Portland street alliance, forest for the trees, trimet and racc have all commissioned or sponsored hundreds the artists. Murals become way-finders, they identify neighborhoods and businesses, and they bring tourism dollars into the local economy and they often mitigate vandalism. I want to mention the Portland's innovation quadrant group the Portland iq and emerging collaborative ecosystem that one of their interests is to feature murals as one of the ways to make the central eastside industrial district a tourist destination. Wouldn't it be great to see a vivid rotating outdoor gallery of mural that promoted both local and visiting artists. To address the presentation made earlier by psu and psaa, I commend them for doing the important work that has been needed to bring the legal discussion to the next level here at city council. It is impressive and passionate work and it adds value to our current work with murals, which are always evolving. Racc would love to work with them to figure out how to bring the idea of a free legal wall into the temporary public art program that we're already doing. An example of that is our fresh paint initiative which started out and a pilot project in partnership with open signal at mlk and grand, this pays a stipend to artists of color to paint a temporary exterior mural which goes back to the benefit of supporting artists to expand their skills. Each mural remains in place six-months and along with giving artists the opportunity to learn new techniques, the project also increases public awareness about their work. In fact, the first three artists in that program have gone on to do some permanent, important commissions in the city. A legal free wall could be viewed as complementary to this already-existing program. It would create a safe space for the artists to create and learn, as was mentioned earlier. So if artists have anything to say about it, the murals and artist voices aren't going away time soon and please continue to count on racc support for you in this work.

Fish: Mayor I have a couple questions.

Wheeler: Commissioner Fish.

Fish: That for your testimony, is your recommendation that we adopted code change as proposed but come back with a pilot with psaa?

Kendellen: I think that's a good idea, I think we could work on establishing a pilot for the temporary legal wall.

Fish: Do you have the capacity to do that at racc?

Kendellen: We would have to look at the current capacity and how we would roll that into the current programming with time and money.

Fish: What's the current budget for the public art mural program?

Kendellen: \$50,000 that has been the budget from the beginning in 2005 and it stayed that way.

Fish: So you may end up having a request for some additional dollars to do a pilot?

Kendellen: We can look at that at racc.

August 7, 2019

Fish: Thank you.

Wheeler: Great, thank you for the presentation. Outstanding. Karla, how many people do we have signed up for public testimony today?

Moore-Love: We have eight people.

Wheeler: Great, three minutes each please, name for the record, the microphones slide around and they work best if you keep about six inches a difference between your mouth and the microphone. And I'm being reminded, again, please stay focused on the subject at hand today, we would appreciate it. Thank you.

Diana Gutman: Good morning, mayor and commissioners. My name is Diana and I'm very moved by this agenda item, item 745 in regards to the Portland art murals. Based off the public testimony we received in communications I think it is very valid and I see it can definitely benefit the city Portland, it can connect communities together, it can connect people who are looking for work and also provide a safe haven and safe way for people to express themselves, to use their voice and talk about things that maybe we don't always think about as a general public. I love the city of Portland, and my husband and I go on many, many outdoor walks and one of the things that I love about the walks is the murals that are painted around my neighborhood and then just within the inner cities. I am a fan of art. I think that being able to express yourself creatively is very important, and to be able to see that nurtured in our city is vital. My only question is, when they are talking about informing the community, I know for myself I've seen a lot of new murals go up but I've never been informed on those things so I want to know how they go about informing the public or the neighborhoods with building structures that are going to have beautiful murals painted on them because for myself, I would love to see that, you know, unfold and I would love to be a part of that. The another thing is that I really, I do think one thing to be consider is the timeline for how long murals can stay up because I do think that if we could have them evolving it gives more opportunity to local artists here and the city of Portland. And based off the public communication this morning, that's really what it is about. Local artists are wanting to have a free space, a free wall to paint and express themselves and so having a contract come down from five to two-years I think is a really good start and if we can even bring it down a little bit more than that, so more artists can have the opportunity to circulate creatively, I see that being a really beautiful thing. So I'm 100% in support of this and I hope that you guys support it, as well. Thank you.

Wheeler: Thanks for your testimony, appreciate it.

Shedrick J Wilkins: I'm Shedrick J Wilkins, can this turn into a provision against a mural being pornographic art and have a pornographic art wall in Portland where is there any supervision about the content of the mural? When I was little kid, there was a standard insurance building with a picture of two women, a statue with two women and two men in a bathtub and they're naked. I could take a picture of that and draw it on a mural. Strangely enough that statue has always been there, but its not been expanded either, its not like every plaza has something like that, so that's kind of weird. Maybe objections would regulate that sort of thing, and people would allow it at some places and not others, but it is strange, seeing that when I was a kid, looked at it and I think there should be some review on that topic because it is controversial. I've actually walked by the building and with little kids, and the parents are going this way and I'm going that way, so it is kind of funny.

Wheeler: Morning.

Lightning: Good morning my name is Lightning, tualt pellet on the on the east side, they need a wall. So did my friend Walt, they will probably be talking to you. I'm surprised psu hasn't stepped up, I would love to paint on the side of your buildings. Psu, you are a bunch of worthless idiots over at psu, the upper level administrators. Now, moving on, this title 4 is a bunch of garbage, should be thrown in the garbage can. You want to restrict the creativity, the free flow of ideas, what the artists can do. You know what, why don't you go

August 7, 2019

restrict yourself and you know to call it content neutral is just to allow more ways of not -- the public coming after them if they go content based on this to go after them through court cases and just to allow the government not to stand there and say you know what if it doesn't meet our purposes and our needs as the government, we're not going to allow that to happen. Well, guess what, who cares. Who cares what you want. This is art, free flow of ideas, imagination, what they want to do, you start restricting these artists in the manner you're doing, you won't have artists in this city. This is pathetic. Pathetic. And, by the way, if you want a wall, get together with some of these private entities, buy the building and by the way uber and lyft and all of you beginning to buy the buildings, these artists want to paint on the side of your building and I know you're going to allow them to do that. Here's the deal, artists don't need to be restricted. This is pathetic. Pathetic. And my idea, my view on what an artist is. An artist needs to be free. An artist needs to have the ability to create. Free flow of ideas, create great art, what they think is great, not what you think is great. The artist has that right, and that ability, until they sign these contracts and give it all away to racc, to the city of Portland. I don't think so take your title 4, take all of this and throw it in the garbage can. That's where it belongs because the private sector will allow murals to go on their private buildings which will be considered fixtures which we consider the property of the artist and they will not allow to you restrict it, period. This is an outright joke, to me. By the George Schnitzer, they want a wall. Do we want to have a discussion and give them a wall? Yes, let's do that. I'll get together with you sometime next week and get all these artists a wall. Quit allowing yourself to be restricted, controlled and take away everything you are, which is the artist. The artist to create, ideas, do what you want, have a little edginess to it.

Wheeler: Thank you, your time is up.

Lightning: Be an artist. They want to control everything in the city.

Wheeler: Good morning, thank you, again.

Tomas Valladares: So we feel very lucky to be --

Fritz: We lost our quorum.

Wheeler: One second, please. Why don't we take two-minute recess. There she is. Never mind. Lightning I want to remind this is a disruption, contrary to council rules. If you don't stop, you will be asked to leave.

Lightning: Freedom of speech, freedom of expression.

Wheeler: You don't get to interrupt other people's freedom of speech.

Lightning: That's art, f-you.

Wheeler: No, it is just obnoxious, good morning.

Valladares: I just wanted to make some statements about the mural code changes. We feel very lucky, as an organization, Portland street art alliance, to be at the table as community representatives for the examination of the mural code and its been a long time coming and we honor the history of all those who worked to get us here specifically Portland mural defense, advocates that got up us to this point and we support the propose the changes to the mural code, but we also feel like there's something not being addressed through the city code or through racc currently and that's outside of the free wall is we're also looking at ways to have rotating art spaces. Though the proposed changes to move from 5 to two-years is a step towards that, we actually do think that there should be a minimum duration because it does protect artists and it protects work that we want to keep in the public sphere for longer and we also understand that that helps deter advertising, as well. However, we are seeing in chronically tagged or vandalized properties one way that we've seen that works very well is invite well-respected artists that work in graffiti style writing and they are able to paint freely, with time with some budget, but that also opens it up to be a curated rotating space that if something were to get tagged it is much easier, quicker, cheaper to have someone else come and paint something new over

August 7, 2019

that space and so we're proposing or asking for the council to direct bds or the office of civic life to find new way or new avenues outside of the potentially other mural code to allow for rotating spaces for artists that could be something that could be temporary, six-months, three-months. So we hope we can find a way to do that while still preserving the protections for artists and preserving the code that deters advertising.

Wheeler: Very good. I could ask you one follow-up question, then I will get to commissioner Fritz. Could you be a little more specific when you say rotating art spaces. Could you talk a little bit briefly about what you mean?

Valladares: Sure. We see that there are opportunities for artists who paint murals for a limited time. So we've worked with particularly buildings that are chronically tagged or vandalized, often times these are vacant spaces or spaces that will be demolished so they're temporary spaces that are only there a year before they have redeveloped. So in those spaces we propose to bring in artists to paint and then invite artist to kind of continually rotate and change out those spaces. So it's spaces that sometimes are not there for two or five-years.

Wheeler: Got it, thank you. Appreciate that clarification. Commissioner Fritz.

Fritz: There is an exception if the building is sold, so you don't have to keep it two years. I was on multiple committees about this for many years and it has to be content neutral so we can't say if we like it or not, you can probably do that, if it gets tagged over you can repaint the original art but not put different art up. So maybe that could be a training experience, too. If you have a really great artist who puts up the first one and it gets tagged and novices come in and you try copy great master works of art, try to restore it to its original glory.

Wheeler: Thank you. Thanks for your testimony.

Valladares: Thank you.

Wheeler: Hello.

Charles Bridgecrane Johnson: Good morning, commissioners. For the record, Charles bridgecrane Johnson and it is interesting we have these discussions with no anecdotal cites to facts. I don't know if the Willamette week has Alex here or if Hannah Chen, some are aware there is some concern about how the mural work is handled with the montavilla co-op farmers market. In the bigger context, there was a brief mention of mural tourism and it strange that we have been able to in this long consent you know, there is mural alley in san francisco. In Seattle the tourism was I think an alley with gum on the wall if you could think of something a little better than that. Hopefully, we can do something better than that, but the person that testified just before me, I would encourage you to take the suggestion about interbureau cooperation. I don't know exactly how you catalog structures or buildings that are part of code 29 to 40, I don't know if that's accurate going by. I'm also quoting the daily mail, this time I'm quoting one of the southeast examiners newspaper, the local southeast examiner says it is code 29.40 that particularly rates to a mural art site at 26th and Belmont in that story from last year. So, I was surprised to hear the racc mention there were 40 official, or 49 I think they said official collaboration murals and I'm not a super patron of street art but it would have been interesting to know what resources are out there besides just telling everybody google it for yourself about Portland street art, which is probably some great googling. Is there any kind of process, it was, you know, it is ironic we have Portland state presenting here and I can't any commissioned, regulated ordinance sanctioned mural work going on the Portland state campus, maybe because they're throwing \$800,000 at the booted president. When we want things, we need start in our own backyards so I hope that that will invigorate people at Portland state to also bring us some great street art just 10 blocks south of here. I'm not a street artist, I can't tell you if you should vote yes or no. I don't know if you will be happy if you're split on this, but let's up the level of conversation and bring these artist, this is one of the great things that Chloe

August 7, 2019

Eudaly has as commissioner. There's more vibrant dialog and a variety of art flowing through this building, so get more art in the lobby of this building area. Thank you very much.

Wheeler: Thank you. Good morning.

Maggie: Good morning. If you're wanting to do this, fund this street art or artists coalition or mural art for artists, because you're wanting to get rid of unsightly tagging, one of the reasons people tag, and I'm not an artist, I'm not a street artist, I don't tag is due to the lack of free speech and democracy and the lack of representation they find right here in this room. And, you know, the northwest examiner editor, allen clausman said, you know, the best cure for the lack of democracy is more democracy. I clearly went there and they didn't respond to her well.

Wheeler: So Maggie, again, I know I say this every week, I seem like a broken record, this is on a specific ordinance.

Maggie: I'm talking about democracy here.

Eudaly: It is whether you are for or against this item, once again.

Maggie: I would like to see homeless artists engage in this. I would like to see them invited in because they are traditionally excluded from all these art projects and I would like them to do an art project that is about the disempowerment of everyone from hud to their contractors to their representatives to their bureaucracies, all the way on down, making it some terrible big secret about the way things operate regarding housing and health care.

Wheeler: Thank you, appreciate it. And that last suggestion is a good one, and when we heard the folks for communications, I think they explicitly raised that as an important possibility with the pilot in the central east side, so I'm sure we will hear more on that, as well. Thank you. Next three.

Moore-Love: The last two who signed up.

Wheeler: All righty, come on up. Good morning.

Jeanne Connett: Good morning. Jeanne Connett for the record. There is this lovely mural across the street from where I live and it changes ever see often, I don't care, the but they're kids and they come and they create a beautiful mural, I think there's been like two or three since I've been there, I've only lived there since March 9th of 18. I'm very happy to hear you are supporting this. I also think, oh, trump, here is your line, we need more wall. Okay, guys? We just need more wall. If you think about how many artists are in Portland, Oregon, yeah, we don't have enough wall, but I do appreciate it. I love that mural, I get up every day, I walk out to the elevator and stop on the balcony floor and look at it and it cheers my day, so thank you guys very much.

Wheeler: Thank you, good morning.

Stan Herman: Good morning my name is Stan Herman, I just want to add a little bit, I have a building with a mural, the famous women of Portland, and it got tagged a couple times in the last 15-years. I think the quality of the art, the artists respect it. And what I'm going to offer is, I've got, if you want to do a pilot project, one 200-foot wall with 10 sections, they're about 14 by 20 wide, it would be a great pilot project, right here on interstate avenue, the light rail goes by it. You should see all the visitors that come to town to take picture the wall that I do have and so, just offering that if you need a pilot program, just one more thing on the famous women of Portland my three dollars of pictures are up there too. I don't know if you've ever seen on Harding and interstate.

Wheeler: I have and it is wonderful.

Herman: You come down interstate avenue, hit Russell and you will see 1200 square foot mural there famous women of Portland.

Wheeler: Thank you, stan, appreciate it. Does that complete public testimony on this item, Karla?

Moore-Love: That is all who signed up, yes.

August 7, 2019

Wheeler: Very good, any further questions colleagues? This is the first reading of a non-emergency ordinance it moves to second reading. Thank you for your presentation and for your testimony today. The next item, and we're on schedule, is item 746, time certain.

Item 746.

Wheeler: Colleagues, 2019 marks the tenth year of investments made by the city of Portland into the summerworks internship program which connects youth, specifically youth of color, and youth who come from economically disadvantaged backgrounds to internships within our own city bureaus. The city increased its investment in 2014 to include dedicated slots to support the black male achievement, the bma, initiative. After that investment we created a program in 2015, the summer youth experience with the aim of removing both systemic and individual barriers to create the participation completion of internship by young black males in our community. Since 2010, city funding has supported 1,550 summer jobs, creating opportunities for youth in our community to learn more about local government. The city is leveraged its summer works investments for the Portland means project initiative. A few highlights this year approximately 45 african-american young men are participating in summerworks and the summer youth experience. The young men who identify as black, african-american, who participate in both summer works and summer youth experience have consistently and successfully completed their summer works internships more than 90% of the time since 2015. I'm grateful to the staff, a black male achievement who identified some of the policy and procedural barriers that black african-american young men face and want to recognize the coordination with our partners at works systems in immigrant and refugee community organization, otherwise known as irco, to address these issues. Youth who participate in summerworks have shown higher high school graduation rates, have higher rates of post secondary education than similar groups. In addition to internships with the city, we can also share slots with disadvantaged minority women, emerging small business nonprofits across the city which add another important layer of partnership to this highly successful program. I would like to thank Tiffani Person of omf, cj Robbins who I'm going to turn it to, in just a moment, from the office of equity and human rights, Barbara Timper of work systems and Nicole Grant from my office for their commitment to this effort, I'm going to turn this over to CJ Robbins.

CJ Robbins, Office of Equity and Human Rights: Good morning, council, I'm excited to have another opportunity to have a conversation with you all directly. My name is CJ Robbins as mayor wheeler stated there, I coordinate the black achievement for the city of Portland from the office of equity and human rights. The city of Portland part is drowned into me so you will have to excuse me I know you all know that, besides that, I just wanted -- I'm here to introduce our partner, I just want to take quick second. My hero passed away today in Toni Morrison and I want to bring out a quote that is apropos for this moment and presentation from her which is just remember that your real job is that if you are free, you need to free somebody else. If you have some power, then your job is to empower somebody else. I believe that that very much fits for our investment in summer works as a city and for our specific investment when it comes to black male achievement in black young men and some who would also consider themselves boys at 15 and 16, as well. So, as mayor wheeler shared some of the statistics, I won't go into those, I will say this year we had another opportunity to connect directly with young men that we otherwise would not have an opportunity to know and to help grow and guide. And, we have found specific opportunities where we can improve our partnership and engage year around on that so without further adieu, I would like to introduce Barbara Timper, the youth services manager for work systems who will share a brief presentation and who I work with directly to improve those outcomes in summer works.

Barbara Timper: Thank you cj. I do have a presentation. Did you get -- okay, all right, I'll wing it, I guess, since we don't have the presentation queued up. Thank you mayor

August 7, 2019

Wheeler and city commissioners for inviting here today to talk about summer works. It's a program that is near and dear to my heart as I was there at the very beginning in 2009. So as I've been introduced my name is Barb Timper and I'm the youth manager at work systems. I want to do an overview of our program and think about, like, from the beginning, where we started, as Mayor Wheeler said, this is the tenth year of the city's investment in summerworks, and our program started at the height of the recession when youth unemployment was well over 30%, it was a crisis. So our response and the evolution and creation of summerworks was really get as many youth working as we can, provide essential work place skills, give youth an opportunity to apply classroom learning to the real world of work, get money into the local economy and provide a positive summer activity as a bridge back to school in the fall and I feel like we've met that goal year after year after year. The city's investment as it was pointed out, this year the total investment is what brings us to supporting 1,550 summer jobs. Over the past 10-years, that investment has resulted in over \$2.5 million of gross wages paid to interns through our program we've developed a referral network of over 170 school community-based and faith-based organizations that refer young people they work with into our program every year. We serve on average, 79% of youth identify as a person of color, and on average, 90% of the youth that we serve are also economically disadvantaged, either receiving public assistance or are eligible for free and reduced lunch. The program design overview is a little bit hard without the slide, but okay. Our program is fairly straight forward. We outreach to the community in spring time to ask our referral partners to target youth who are under represented, motivated, really are interested in having an opportunity to work but maybe don't have the resources, social networks, family networks to really help them make that bridge into the world of work. Even in today in our economy where there are lots and lots of jobs, the step of actually applying, waiting, maybe getting called, not getting called is still fairly intimidating for a lot of young people when it is their first time out. So summer works helps to create success and build confidence for young people. So youth sign up, we provide them with some essential work place skills training. They work a 180-hour internship and they're paid whatever the current minimum wage is. They receive support such as bus passes or appropriate work place clothing or tools they may need to be successful in their work site and we provide a success coach. The coach is there to help the youth be successful, as well as support our work site supervisors that provide that opportunity for youth. After the program is over, we have youth are returning to high school, moving on to post secondary, returning post secondary, getting jobs or enlisting in the military. We have probably every year less than 10% of the youth say, I don't have any plans. So youth are taking this opportunity and moving forward into other positive activities in their life. Summer works really is a critical piece for youth development because young people who are employed are more likely to graduate from high school. Early work experiences help youth become more confident, responsible and self confident, discover new interests and build skills, boost financial awareness. Oh, here we are. Build positive and professional social networks. In conjunction with the slide, let me see if I can move us forward quickly, this slide actually and the graphic on it came from a presentation or some information that's provided by J.P. Morgan Chase and I'm happy to be able to share in summer 2019, Portland became one of the cities nationally the J.P. Morgan Chase foundation is supporting with summer jobs by making a \$300,000 commitment over the next three years to support our summer programming. So, that's a little bit about what summer works is about. Sort of where are we going and where have we been going. Summer works, we, every year, get more applications, more interest from youth than we have the ability to fund. As you can see, over the last four-years, we've had more than double the number of applications than we've really been able to provide work sites. So, two-years ago, we started an initiative called "connect to careers." and "connect to

August 7, 2019

careers" utilized the same platform and the same process as summerworks, it just is an opportunity for young people to get support in making the transition to get that first employment opportunity where they're being hired actually by the business. We provide the application, work readiness training, a peer coach versus an adult success coach to help support youth through the process of interviewing and applying and that process. Having the c2c program, also it is a year around program, it is not just in the summer so it is a place for young people to be able to come to look for jobs, find help in securing jobs, getting mock interviews, resume support so they can be successful to compete on the open job market. Having the year round programming also that's allowed us to have infrastructure year around, work experiences which also is key to supporting the Portland means progress goal around youth work experience.

Wheeler: A shout out for the job fairs, they've been extremely we'll attended.

Timper: Thank you, they also two years ago added the youth job fairs and they've been a great opportunity, as well. Thank you. So summer works, this is the 11th summer of summer works and we do kind of every year at the end of the summer take a step back and say what worked well, what doesn't work well and try to make program enhancements and improvements. Cj talked about how can we do better. This year we introduced a new front end application process, and it would be an understatement for me to say we haven't gotten a lot of feedback about that and so I do want to acknowledge that there have been some challenges, but we are taking a look at that over the coming months. Summer works is still really needed. Young people, especially the 16 to 19-year-old age group, are still struggling. Their unemployment rate is above 12%, for youth of color particularly young black men and brown men the unemployment rate is even higher, its more of a struggle particularly in that age group. So, summer works is still needed, the ability to provide young people work experiences still very needed in our community. So, part of the next steps process in our act plan due check is that we are looking to convene and give the community an opportunity to have input so our funding partners, our community partners, youth to help inform us about how do it better, what more is needed. We're looking to expand our community-based partnerships. We're looking to have a broader adoption of our essential skills training by k through 12 as well as cbos. If the essential skills training is happening during the school year it means youth are ready to start working in the summer sooner.

Fritz: What is cbo mean?

Timper: Community based organizations, I apologize, I get caught up in jargon sometimes. We're looking to increase our private sector involvement and of course we'll continue to partner with the city and other public local and state government for support. Some of the things that we'll be looking at in terms of potential modifications to our program would be year round paid work experiences in the same way that we have summer, looking to create connected experience for more highly varied youth so there's a continuum of service. Create earn and learn opportunities so paying youth while they are learning skills. Then looking to have some stackable experiences that could lead to apprenticeship or entry level career track jobs. These are all ideas that we have and want to be able to work together to bring that to fruition if that's the direction we all think we need to go. I just want to thank you. The city's support has been tremendous and our program would not exist in the way that it does without it. So thank you.

Wheeler: Commissioner Fish.

Fish: I have a couple of questions. Thank you for an excellent presentation. You have ten or 11 years of data tracking participants in the program.

Timper: Yes.

Fish: How many of those young people have received offers of employment from the city of Portland?

August 7, 2019

Timper: That's a really great question that I don't have a solid answer to. I know that we have a number of youth who are actually working for the city that started as summer works interns, but I will have to get back to you. We have never done that cross-check of who on our list from ten years is now an employee of the city.

Fish: Is it fair to say that should be one of our goals?

Timper: It should be one of our goals and it is something that we have been talking about. We have been talking about working collaboratively within h.r. department as well as the unions to see if we could create a sort of entry level apprenticeship type of position at the city where youth would have an opportunity for summer works work experience connected with specific educational classes at high school that would qualify them for that kind of an apprenticeship or opportunity to be considered for entry level employment at the city.

Fish: We're looking at an enormous number of employees who will be retiring.

Timper: Yes.

Fish: There's tremendous opportunities. Mayor, we should find a way to be more intentional about tracking opportunities that these young people have to come and work for the city, the county, local government. These are fantastic entry level jobs with benefits. I look forward to getting that data.

Wheeler: I want to acknowledge my summer works intern, Caleb berg who just started. Caleb can you give a big wave so everyone can see you? I don't know yet because he's new enough that I can't tell you whether he's found the experience valuable but I'm pretty sure he's not been bored yet. Glad to have you, Caleb. We're glad to be able to leverage this program. Commissioner Eudaly.

Eudaly: I would also like to recognize my summer intern, ocean eel, he's in the back here. We have summer works interns every summer. They are always invited back. Sometimes they come back, but sometimes they move on to more prestigious internships. I'm happy to be a stepping stone. Really love and support the program.

Timper: Thank you.

Eudaly: Thank you for the Toni Morrison quote. I have been at a loss for words to express how I feel about her passing. So, it was nice to have acknowledgment in council.

*****: Thank you.

Wheeler: Commissioner Fritz.

Fritz: Is there any reason we can't put an emergency clause on this ordinance? For the purposes of getting the money out the door as quickly as possible?

Lauren king, Deputy City Attorney: If you add --

Fritz: Move to add the emergency clause.

Fish: Second.

Wheeler: We have a motion from commissioner Fritz and second from commissioner Fish. Any further discussion on the motion? Call the roll.

Eudaly: Well, I think I -- [speaking simultaneously] aye.

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

Wheeler: Aye. The motion carries. Amendment on the table.

Fish: Has anyone signed up to testify?

Moore-Love: Two people.

Wheeler: Thanks for the presentation.

Robbins: Before we wrap up I think there's a tremendous opportunity, commissioner Fish, when it comes to sharing of data and to understanding the young people better. I think that is a significant growth age for us. It will take work both on the city side and on the summer works and some agreements as to how we'll share data and I think we can do that.

Fish: I'll give you an example. In my office we have enormous success hiring from the women's leadership program at Portland state university. They have annually a group of graduates of the program. We have hired three or four distinguished graduates of that

August 7, 2019

program. They are referred to us. We have regular openings in my office because all my best people get stolen, by bureaus, by the governor, by the mayor, other offices, by other employers, which goes to the point you made when you quoted Toni Morrison about empowering people. It's a double edged sword. You hire great people and they are lured to other jobs. That's part of our job is to give them the chance to succeed then that becomes visible and they are recruited for other jobs. I would urge you to talk to Asena Lawrence on my team about the success. I think if we approach this from the point of view we got to have an intergovernmental agreement, set of protocols and rules we'll spend a year and won't get far. If we approach it from the point of view there are existing networks that are highly successful in planting graduates in city jobs through their own informal networks I think that's a first start. If this program can be as successful as the women's leadership program at PSU in giving people opportunities, we'll be hiring more people.

Robbins: I appreciate the direction, leadership and advice. We always lose either by the peak school of development which says we're always going to lose our best people. I lost one of my best interns this year. Not lost, I would say it's flourished, to the mayor's office and Caleb Berg.

Wheeler: I see how this conversation started.

Robbins: It's where he needs to be to grow and so I'm grateful for that and appreciate that as well. Thank you.

Wheeler: Thank you, c.j., on behalf of my team. Caleb came ready to go, he's hit the ground running. That's all of our -- this is our compact to each other, I suppose. That we're all going to continue to help leverage and lift and encourage and coach and council. That's where the real value is.

Robbins: Thank you.

Wheeler: Public testimony. Two people signed up?

Moore-Love: Maggie and Jeanne Connett.

Jeanne Connett: Jeanne Connett.

Wheeler: Can you pull the mike closer to you?

Connett: Is that better?

Wheeler: Or it will actually move.

Connett: If I get closer I get a voice that went over dad's race car in the garage. This is a wonderful program. I wish you could get it to apply to the children at holiday park who really need something else to do other than we're a gang and we'll kill you. I recently found out again that the shopping in Lloyd Center, the rates are going down. A couple more years and they will probably lose the building and quit everything because of the problem in holiday park. Aside from that, I think you are all doing a wonderful job and I really appreciate it. Mayor Ted Wheeler, I have a request. After whatever if you have time at some point, would you walk around the city with me? I would like to point out some of the art that is not murals but put into the buildings as they are created so we can get a handle on this rat box. Thanks for making me famous. I work down the street now and everybody is like, oh, wait, you go to council. I got this problem. I got that problem. Thanks for making me --

Fish: Next you'll be asking for an office.

Connett: You're dang right, Thank you guys very much.

Wheeler: Thanks for being here. Anything else, colleagues? This is -- actually we're going to vote on the motion cause its been amended. Please call the roll on the motion as amended.

Eudaly: Thank you for the presentation. Thank you for your hard work. Congratulations to the interns in particular. Happy to support this program. I vote aye.

Fritz: The summer works and summer youth experience program is an cultivation of the black male achievement initiative which aims to enhance opportunities for black men and youth in the areas of education, family life, employment and the criminal justice system. I'm

August 7, 2019

pleased progress that the partnership has made, I'm also pleased that you're doing the evaluation process cause I think we would all agree there's always some improvements that could be made, particularly if we have adequate funding for them. I would like to be involved in those conversations. Thank you for that. Thank you, c.j. Robbins, dr. Markisha Smith in the office of equity and human rights, your work is crucial and meaningful and I appreciate you being here today to give this presentation. Thank you, Tiffani Penson in the office of management and finance, who was not able to be here today, for her steadfast championing and coordination of this process. I believe this is a Sam Adams this was a mayor sam adams along with colethal madd and Tiffani Penson who got this and the future connect program going and I echo commissioner Fish's request for us to do tracking and maybe in your annual reports to tell us how many graduates of the program have been employed by the city of Portland. We asked the future connect programs to tell us that when they presented last year. We really do want everyone to know the city of Portland is looking for good, qualified people to at all different levels of our government so we can truly reflect the beauty and diversity of our communities. Thank you, Barbara Timper from work systems, inc., from our partners at the immigrant and refugee community organization. I was hearing about the workload of some of the coordinators yesterday. I was just -- wow. How young people in coordinator positions are doing an amazing job as well. Maybe next time bring one of those folks to come and talk with us as well. Happy to support this, aye.

Fish: Aye.

Wheeler: I again just want to thank c.j. and barb for being here today. It was an excellent presentation and Tiffani Penson from omf has been very engaged in this program in the community and of course nick grant from my office. I just want to acknowledge them and thank them for their hard work, obviously this is a great program. I'm happy to continue to champion it and I look forward to some of the areas that were mentioned as future potential areas for this program to evolve towards. I support each of those items listed on the slide. Aye. The ordinance is adopted as amended. Thank you.

Connett: I left out one thing, mayor, I finally got a cop to say he gets to do his job and things are getting better.

Wheeler: Thanks for passing that along. I appreciate it. Now we go to the regular agenda, 761, please.

Item 761.

Wheeler: Today I'm requesting council confirmation to appoint three new members to the river community advisory committee. Dan Carlson, Tom Lisch and Bryrick Shillam and reappoint two existing members Karla Devine and Jesse Fox. It's a privilege to recommend such qualified members of our community to provide guidance on floating structures to the bureau of development services. Dan Carlson, who is a floating home resident for over 25 years, has built four floating homes, held multiple Tomahawk island community board positions and served on the board of directors for the park place condominiums, he currently serves as a board member for the waterfront organization of Oregon. Tom Lisch, a floating home resident, brings over 30 years of experience in the construction industry building various kinds of homes including those that are on the river. Last but not least our recommended new appointment is Bryrick Shillam, an accomplished floating homeowner, contractor and realtor. Thank you, Karla Devine and Jesse Fox, for your service to the city of Portland and being important contributors to the committee since October of 2015. Both of you have brought insights to these floating home communities and helped inform the council on the unique aspects of these communities. The bureau of development services and I are confident that these two individuals will continue to be very important to our work going forward. David Tebeau with the bureau of development services is here to answer any additional questions we might have. I would like to thank

August 7, 2019

David and his colleagues for a very successful recruitment process. Thank you sir, welcome.

Dave Tebeau, Bureau of Development Services: Thank you, mayor. I'm here to answer any questions you guys might have regarding the rcac, which is an acronym for the river community advisory committee.

Wheeler: Were any of these individuals able to show up today?

Tebeau: Dan Carlson and Tom Lisch showed up. Bryrick had something come up and he had a conflict.

Wheeler: No worries, gentlemen thanks for being here, we appreciate it and maybe can just give us a couple of sentences of what we think the main issues will be going forward? What should we as a council keep our ear to the ground or, or in this case to the water on?

Dan Carlson: I would suggest one of the main reasons we're here is with regards to permitting process that comes to front on the waterfront versus some of the differences between the waterfront and land-based residences. So that will be a big part of it. We're also looking at what's to be done with the homeless boat situation on the river. We want to be involved with that. Something needs to be done. There's a lot of expenses involved in that. Another thing we discovered this morning being part of river community a couple of weeks ago I saw a boat stranded out in the middle of the Columbia river. I went over to -- I was in my boat with my wife, went to offer assistance, ended up towing them in and that person turns out to be the one sitting next to me today. [laughter] we didn't know we were coming in here.

Wheeler: Aren't you glad you didn't just motor on past, that would've been awkward.

Carlson: It's true of everywhere in life. What goes around comes around.

Fish: Mayor, I'm trying to remember the last time the river community advisory committee came before us with recommendations or we got a letter of some sort. I know that your primary responsibility is to advise the bureau of development services, but the issues you just described cut against many -- cross-jurisdictional. I had the honor for example of being in charge of bureau of environmental services, Portland parks and rec and superfund. So we get a lot of emails from people concerned about derelict boats. The problem is the public doesn't generally understand and I can't say I understand from memory which dock is controlled by what entity. We have private docks, we have public docks, we have docks licensed by the state, we have a whole mishmash. It's not as easy as saying here's a vessel sinking at a dock. We have to determine who manages the dock, who is responsible. Some of these derelict boats you're referring to are also at risk of releasing sewage and in addition oil and gas and other things into the water, which certainly goes against our cleanup goals. I just want to encourage you, if there are recommendations for how we do a better job in any of the areas that you're responsible for, I would ask you to think broader than just advising the bureau of development services and you certainly have the right as an advisory committee to cc other bureaus if you want us to hear about your recommendations.

Carlson: Thank you. I'm also a board member of the waterfront owners organization. The waterfront organizers organization is very involved in that and speaking with a lot of different bureaus that have influence on the waterfront. The Multnomah county, Clackamas county, the sheriff's departments, the bureau of land management, marine board, on down the line, they all have a hand in managing our riverfronts. So we're again we're very interested and willing to work too. And we'll forward you --

Fish: I think helping people understand there's a complex regulatory stew of federal, state and local. You mentioned marine board, you didn't mention the coast guard. People complain about bridges when they come up of course we needed the county we have anything to do with that, but the more we can let people know who is responsible for what activity on the river I think the better. The more we are getting real time recommendations

August 7, 2019

from you as to things we should be thinking about the better as well. I encourage you to cc other bureaus.

Wheeler: Thank you for your service. Does anyone have further discussion? Thank you for being here. What do you think are some of the big issues, do you concur those were the right issues?

Tom Lisch: He took all my ideas.

Wheeler: Good. Good.

Lisch: From a slightly different angle.

Wheeler: Can you state your name for the record.

Lisch: I'm sorry tom lisch. A lot of the stuff that's involved with this group focuses on the residential part of it, I'm hoping to bring commercial use into it. For example right now my company we're working on several of the fire stations and police stations on the river doing upgrades to those to pull that together, not just the residential, there's also the commercial side of it. One thing that's big now like dan said, it's not just derelict boats, it's the homeless living on the side of the river just, you know, sinking boats, creating some issues that we're trying to get in, learn more about. Figure out the best people to contact.

Wheeler: It is a complicated issue having one served once served on an arcane but really important board called the Oregon land board I learned more than I ever want to learn in my entire lifetime about submerged and submersible lands. I know that the department of state lands has also been actively engaged in this conversation. The marine board has been engaged to some degree into this conversation. I believe there's recently a fairly significant action by the state with regard to some abandoned and derelict vessels on the Willamette river. This is all a complicated and thorny issue, but it's an important one and I appreciate that we have people that are keeping their eye on this process on a regular bases.

Fish: Mayor I think we have wonderful appointees I move the report.

Fritz: Second.

Wheeler: We have a motion from commissioner Fish, a second from commissioner Fritz, any further discussion? We appreciate your being here. Please call the roll.

Eudaly: Thank you for stepping up and being willing to volunteer your time and expertise. Aye.

Fritz: Thank you for your service. Aye.

Fish: I join my colleagues in saying thank you. You're busy people with lots of things you could be doing but to provide this kind of public service says you're deeply committed to your city and the region and we're grateful for that. Aye.

Wheeler: Thank you for stepping up. We appreciate those earning reappointments today. Aye, the appointments approved. Thank you. Next item, 762.

Item 762.

Wheeler: Thank you we have Lester Spitler. Lester are you starting off the conversation today?

Lester Spitler, Chief Procurement Officer, Procurement Services: Yes.

Wheeler: Thank you both for being here.

Spitler: Good morning. I'm Lester spitler chief procurement officer, I have Jana, the project manager for this project cpo report. So council approved ordinance 189158 on September 5, 2018 to authorize us to competitive solicit for the project. Facilities services within the office of management and finance managed this project for a fleet. They had a construction estimate of \$5,571,005. The confidence in that estimate was high. We issued an invitation to bid and bids came in July 2 of 2019. Unfortunately we only received one bid. We did, however, have six contractors show up at the pre-bid conference. Two submitted a pre-qualification because of the nature of this work we required contractors to be pre-qualified before they submitted the bid, so we had six pre-bid, two submit for pre-

August 7, 2019

qualification and, we only had one bid submitted. There was the second contractor who was pre-qualified submitted his bid late so he had intended to bid but didn't get it in on time. That's important information for council to know even though we only received one bid, it was a competitive opportunity. We identified an aspirational goal of 20% utilization of certified contractors and suppliers for this project. Anderson environmental contracting llc is a state of Oregon certified service disabled veteran business enterprise however we typically don't count the prime contractor's self-performance of work towards our subcontractor goals so even though the prime is certified they also identified additional contractors and there's a table in the cpo report that shows the subcontractor, their certification, area of work, ownership and amount they are expected to receive. That certified sub-contractor utilization only amounts to 3.11% but again the prime contractor is certified. There's a table in the report that shows noncertified subcontractors that will perform work as well. Anderson environmental is located in Kelso, Washington. They are in compliance with all the city of Portland's business tax registration and with that we recommend acceptance of the report and authorization of the contract.

Wheeler: Colleagues, I'll entertain a motion unless there is any further questions.

Fritz: In the report to council thank you which you have made really clear for us it says don hughes truck sales is dmwesb, but then it says the ownership is Caucasian male.

Spitler: That must be a typo. I can get back to you on that. That can't be right.

Fritz: You don't know which it is?

Spitler: They can't be a wbe.

Fritz: That was the give-away. My question is are they not certified or is that identification of the ownership incorrect?

Spitler: They are certified. The identification is incorrect in the cpo report. I will follow up.

Fritz: Minor details. I appreciate you giving us all these details so I can nitpick them.

Wheeler: Good catch, commissioner. Any further discussion? I'll just put the obvious statement on the table. I hope the day comes when we don't have to maintain or replace these stations. We're trying as you know with our fleets to move towards electric vehicles and alternative fuel sources. I understand that with some of our larger vehicles, particularly first responder vehicles, we still need to have these facilities therefore they have to be up to code and they have to be safe and they have to be environmentally sound. I want to acknowledge that we want to continue to move towards alternative clean sources of fuel and energy. I vote aye. The report is accepted.

Moore-Love: We didn't move or second it.

Wheeler: Oh I thought somebody moved it, I'm sorry that was the last one, I was reading the wrong thing.

Eudaly: Motion to accept the report.

Fritz: Second.

Wheeler: In retroaction we have a motion from commissioner Eudaly, second from commissioner Fritz. Please call the roll. I apologize. I think I have ruined the suspense.

Eudaly: Aye.

Fritz: Thank you for the work that goes into this and for a nice presentation. Aye.

Fish: Aye.

Wheeler: I'm going to keep you hanging here. No. Thank you for your hard work. I appreciate it. Thank you, commissioner Fritz, for actually identifying the inconsistency. It's important we get that right for the record. I vote aye. Thanks for your hard work on this. Next item. We're going to read two together. Could we read 763 and 774 together, please.

Item 763.

Item 774.

Wheeler: Commissioner Fish.

August 7, 2019

Fish: The bureau of environmental services manages the city stormwater and sewer infrastructure including 99 pump stations. Those pump stations help ensure that sewage is conveyed to the Columbia boulevard wastewater treatment plant. In March city council unanimously authorized a contract with the lowest responsible bidder to upgrade the northeast Broadway pump station because of its deteriorating condition. Today's ordinance, 763, amends the contract amount and corrects a scrivener's error. We'll first have a report from Lester Spitler chief procurement officer, and Paul Suto, BES engineering manager, then we'll take up 774.

Lester Spitler, Chief Procurement Officer, Procurement Services: Good morning. Mr. Spitler, Paul Suto. As commissioner Fish said on March 27 council approved the ordinance 189438. We subsequently issued a competitive invitation to bid for which the estimate was \$1.2 million at 90% design, the confidence level was high. Bids were opened June 18. We received two bids, the lowest responsive bid was from Stettler supply company dba Stettler supply and construction. We applied our 20% aspirational goal to this project and Stettler supply was able to achieve the subcontractors that are listed on the first page of the report. It lists subcontractor, certification, looks like these are all correct, area of work and ownership and amount of each subcontract. The total, however, is on 10.2% of the overall amount. Stettler is also subcontracting 36% to noncertified subcontractors listed on the second page of your report. They are self-performing 58.6%. They are not a certified contractor. They are in Salem, Oregon, they are in compliance with all of the city's contract requirements. I have Paul Suto here if there's any questions. Otherwise we recommend that you accept this report and authorize execution of the contract.

Fish: Anything to add?

Paul Suto, Bureau of Environmental Services: I can speak to the scrivener's error. The original ordinance approved in March 2019 did not have that error, so it didn't authorize the procurement officer to facilitate the competitive solicitation onto the bids for this project so the amendment in 774 is intended to basically clean that up. The other thing I wanted to mention is that original ordinance also had -- it fixed the contract award amount to the engineer's estimate of \$1.2 million but as Lester mentioned the bids that came in higher than that and I wanted to make a couple of comments about that. About why we believe they were higher. What we're noticing on the bidding climate is extremely competitive. Meaning we're not seeing many bidders on projects, in this case we only had two that were very close, within 1.5 % of each other on bids. We did have six contractors attend pre-bid meeting. We are trying to track some of what's going on with our peer agencies nearby and we note recently with a neighboring utility they had a similar experience where they only had two bids and came in 43% over the engineer's estimate. I want to offer that.

Fish: Colleagues, we had a similar experience recently with Leach Botanical Gardens. We're seeing a pattern with bidding on Bureau of Environmental Services contracts. I also spoke in the last two weeks with a major construction company in town that said that they are booked for the next two years with work, and that they are at maximum capacity. What we are seeing is less competition because companies are already very busy. So these are nice to have contracts, they are not need to have contracts. We're seeing labor shortages which in turn bids out the process and we're seeing uncertainty as a result of the tariff debate, which is causing certain materials that we rely on, the price of which to go up, we saw that at Leach Botanical Garden with steel, we see it with our other projects. We are seeing higher bids come in. This is a good news-bad news scenario. Obviously we would like to see as much competition as possible and bids as close to the engineer's estimate as possible. On the other hand, it validates what we're hearing from the CBO and from our finance team at the city, that the local economy continues to roar and that will be to our long term benefit. Good news-bad news but that helps put in context why we're getting bids above our engineers' estimates.

August 7, 2019

Wheeler: Thank you. That makes sense.

Fish: I move the report on 673.

Eudaly: Second.

Wheeler: We have a motion from commissioner Fritz and a second from commissioner Eudaly. Any further discussion on the report? Seeing none Karla, please call the roll.

Eudaly: Aye.

Fritz: Thank you for your presentation. Aye.

Fish: Aye.

Wheeler: Aye. The report is accepted. To the ordinance commissioner Fish.

Fish: This is not an emergency. This just goes to second reading.

Wheeler: Any further discussion on the ordinance? This is a first reading of a nonemergency ordinance. It moves to second reading. Thanks for the presentation. Next item 764 please.

Item 764.

Wheeler: Commissioner Fish? Sorry, commissioner Fritz.

Fritz: Thank you, mayor. This is really good news story. Good work from the staff in water and revenue and our debt service management. It's a refinancing which they will explain. It will provide a net debt service savings of about \$6.1 million. Basically like refinancing your house. It saves a boat load of money for the ratepayers which will provide savings in future years.

Matt Gierach, Revenue and Financial Services: I'm Matt Gierach, debt manager in the bureau of revenue and financial services. Good morning commissioners and mayor Wheeler. By approving this ordinance the city's debt management division on behalf of the Portland water bureau will be authorized to issue up to \$160 million of bonds to finance water system improvements and additions. Some of the key projects being funded include the bull run water filtration plant project, the Washington park reservoir project, the Willamette river crossing project and the corrosion control improvement project. Additionally this ordinance will authorize existing refinancing of existing water system revenue bonds with the purpose of obtaining debt service savings or other favorable term. The refinancing authorization is expected to refund the series 2010 a bonds in the amount of \$55.7 million. This is expected to result in approximately \$6 million of debt service savings on a net present value basis. These bonds are currently scheduled to sell the week of October 7. I'm happy to answer any questions.

Wheeler: Just to be clear you're saying the \$6 million will be derived over the life of the bonds?

Gierach: That's correct.

Wheeler: These are 20-year term bonds?

Gierach: They're 25 term year bond when initially issued. Since we're hitting the call date on these they will be 15 years remaining.

Wheeler: This is one of the smartest, easiest thing we can do to actually help save budgets in out years. This doesn't necessarily derive a lot of benefit for us here and now but will make a difference over the long run. I appreciate it. Thank you for bringing it forward. Any discussion on this before I move it over? This is -- sorry, Karla, any testimony?

Moore-Love: Maggie and Jeanne signed up but I think they both left.

Wheeler: This is the first reading of a nonemergency ordinance, it moves to second reading. Thank you. Next item is 767,

Item 767.

Wheeler: Commissioner Eudaly.

August 7, 2019

Eudaly: We're bringing you another street vacation this time for several parcels in southeast that would allow bes to use them for flood plain control. Lance Lindahl right of way agent with pbot is here to explain. Welcome Lance.

Lance Lindahl, Portland Bureau of Transportation: Thank you, commissioner. I'll get started by showing my slides for this presentation, before you today is a street vacation, one of the last steps in completing the foster flood plain restoration project. This vacation has been a collaborative effort between the bureau of transportation and the bureau of environmental services and proposed are portions of southeast 106th, 108th and 110th streets, southeast bybee boulevard and southeast duke street south of southeast foster road. These streets are no longer needed for street purposes and approval of vacation will consolidate bes control and operations of the project area. The area proposed for vacation is in yellow, its all on the south side of foster road between 106th and 110th. The planning commission -- planning and sustainability commission reviewed this proposal has recommended it for city council approval. All streets within the vacation area have been removed as part of the environmental restoration process. No pbot facilities or improvements are currently located there and shown here on the slide are a couple of pictures showing both 106th and 108th at foster road looking south. You can see the restoration project taking off, trees, native plants in the area now and the city has put in sidewalks along both this portion of foster and some of the other surrounding roads to improve public access into the restoration project area. This slide shows some of the other streets to be removed. The first photo is southeast 110th at southeast cooper street looking north. The second photo is southeast duke street at 110th drive looking west. That picture is taken directly behind the plaid pantry store that front on to foster and I heard from plaid pantrys property manager and they are very supportive of this project and that it allows them to manage their property better as well. Only one city bureau responded with condition of approval. Bureau of development services determined a majority of abutting parcels will lose their legal street frontage as a result of this vacation. Typically lot consolidations are required by bds when this occurs, however in this case all parcels affected are already owned and fee titled by the city of Portland and they were recently rezoned as open space as part of the comp plan update. This is something bds has discovered, with an open space city code doesn't require it to have a public right of way frontage. That's all the information I have.

Fritz: I think that's very funny to have a condition of approval saying the condition is met. [laughter]

Lindahl: They raised it out of prudence to make sure bes was confident. Very thorough.

Wheeler: Thanks for the presentation. Any testimony on this item?

Moore-Love: I believe she left.

Fritz: You are very good at what you do as well. Thank you for your very clear report.

Lindahl: Thank you.

Wheeler: This is a first reading of a non emergency ordinance. It moves to second reading and the next item is 771. Also the water bureau. Do you want them read together?

Fritz: I think so. Yes, please.

Wheeler: Please read 771, 772 and 773 together.

Item 771.

Item 772.

Item 773.

Wheeler: Commissioner Fritz.

Fritz: Colleagues, these are three contract amendments necessary to move forward with the Washington park reservoir improvement projects. Some general background on the project, in order to comply with state and federal requirements we have been working to construct closed storage reservoir located below ground at Washington park. When the

August 7, 2019

project is completed we'll have a new 12.4 million gallon reservoir that is seismically reinforced and can supply water to 360,000 people. My staff and I toured the site several months ago. I have been told much progress has been made so I'm looking forward to another tour. I would like to invite you to take a tour of this reservoir. Commissioner Leonard led me to the bottom of the Powell butte reservoir when he was in charge of the water bureau several years ago. It was fascinating. It's something to tell your grandchildren should you ever have any, which I don't as yet, that you stood on the bottom of a reservoir that's going to be filled with water.

Eudaly: I can attest to the progress has been made because I was at Washington park for some parks events last week, and there is a giant hole in the ground.

Fritz: We're going to start filling it in. The chief engineer Teresa Elliot will give you a personalized tour as she did along with mike Stuhr for Powell butte for me. I digress. These contract amendments are all within the already approved \$205 million project budget. The chief engineer Teresa Elliott and deputy director Gabriel solmer will walk us through the details of the amendments.

Gabriel Solmer, Portland Water Bureau: Thank you commissioner, my name is gabriel solmer. Good morning, mayor, commissioners. We have three items as commissioner Fritz mentioned. Three different contract changes. So two amendments and a new contract. I'm joined here by chief engineer Teresa Elliott. We'll walk you through the three contract changes. The three requests that we have involve the aecom contract, a west fields contract and a cornforth contract. We'll step through those. First a little bit of context for these projects.

Teresa Elliott, Portland Water Bureau: I'm Teresa Elliott, chief engineer, for the record. You're welcome to come for a tour of the Washington park. It's fascinating. Water bureau supplies drinking water to nearly 1 million people in the Portland region. The large capacity reservoir at Washington park is an essential part of our water system serving the areas west of the Willamette river, most of which are by gravity up to Washington park's vacation then we pump from there to all of the upper regions to comply with federal and state mandates and to ensure healthy, resilient water system in 2015 city council approved our \$205 million, eight-year construction contract to update the Washington park reservoir site. The project consists of a new underground reservoir in the san angelo footprint as reservoir number 3 with a reflecting pool on top. The lower reservoir 4 basin and slope on the west side are providing landslide abatement and the slope will be restored to its pre-reservoir condition. The reservoir 4 basin about be converted to a bioswale, overflow basin and reflecting pool against the historic dam and gatehouse. When complete it will continue supplying water on the west side and serving more than 360,000 people including all of the downtown businesses and residences, Oregon zoo, over 60 parks, six hospital complexes and 20 Portland public schools on the west side of the river. Just as a reminder for those that weren't aware of it, we have been working on these projects since 2009 to comply with the u.s. environmental protection agency's drinking water requirements to take care of the open reservoirs. In 2012, we authorized the design services geotechnical services and the alternative procurements for the contracts on Washington park, and that time we expected that the construction would go from 2016 to 2021. In 2015 we had council work session we revised our project total to \$170 million and in 2016, we realized that construction needed to go rather than ending in 2021 that it would need to go through 2024. So our contracts for aecom expires in 2021, therefore I need to do something. That's why we're before you today. This slide is just to show you that we have two compliance deadlines coming up in 2020, and we'll meet those. Those are related to reservoir construction and being online itself then reservoir 4 being completely disconnected from the public water system, which it is. We're in compliance with the total project, though, will not be completed until 2024, 2025 but it has nothing to do with the reservoir. It's all the features on top.

August 7, 2019

Fritz: Go back to that slide. The settlement. It has to just sit?

Elliott: It has to sit for two years once the reservoir is completed itself, the site around the reservoir sits for two years so that it settles, then we can build the features on top. If we don't do that the geo techs are telling me we would have about a foot of movement in the areas outside where the reservoir is out. We want to give it two years to settle. Then we can build the whole reflecting pool on top of it. So now into the more specifics about the three canceled items, we would like you to amend aecom's contract. They were the primary design consultant that we hired. Due to some changes that have happened in their corporation we have moved all of the project management services to their consultants, and aecom's role has been reduced to just providing engineer of record duties and design clarifications regarding the reservoir structure itself. It's necessary for us to keep aecom on board as engineer of record so we're complying with our building code requirements. This work is necessarily to be done in 2021, and that happens to coincide with their contract ending. The current contract ending date for them. Engineer of records, they're code requirements and permanent requirements, they are responsible for the design and construction of the infrastructures and then they are responsible for performance once in operation. So the next council item we would like to -- I need to do some kind of contract change in 2021. I'm requesting to do sole source with west yost and primary for all the construction support services going forward to the end of the project in 2025. We have worked extensively with the city attorneys and decided that this is what the consultants and decided that this is the best time to implement this sole source and move them out of being subcontract. We're asking for a sole source contract in the amount of \$6,000,200. The third is a contract amendment with Cornforth Geotech's, they provide our geo tech design and construction services on this project. It was an extensive if you walk out to the project, which I hope you will, it's a very intensive geotechnical work because of the ancient landslide there because of the topography at the site. So we have chosen to employ a geotech firm that's very familiar with Washington park and with the landslide that is there and the geology we are concerned about. Their services end in 2021 we would like to extend their work to 2023 to make sure that all the geo tech work being done, they are monitoring and watching that and that we would like by doing that like to add \$830,000 to their contract. Just a construction photo of what it was looking like about maybe three weeks ago. It's a very big hole. There's a lot of equipment there. We are presently working on floors and walls. We have the foundation in and we're getting ready to start on columns as well.

Wheeler: Can I ask you a question?

Elliott: Sure.

Wheeler: I was looking at this the other day trying to envision it. Is the floor that we're seeing here, is that the floor of the new underground reservoir?

Elliott: Everything you are seeing is underground.

Wheeler: In the months ahead we'll see the casing for the underground reservoir constructed?

Elliott: That's correct.

Wheeler: Thanks. I was trying to get my bearings.

Fritz: Do they get the trucks in and out with cranes?

Elliott: Actually, we have until we closed last wall section they are able to drive in at the north end by sherwood boulevard. Once we build that last wall section they will have to be loaded in and out by crane. Right now we have two big tower cranes on site moving material back and the forth.

Wheeler: We don't want to see any mr McGillicuddy's down there.

Elliott: We don't.

Eudaly: That was before my time.

August 7, 2019

Wheeler: It probably was. [laughter] you guys remember that. That was funny.

Eudaly: No one is going to tell me?

Wheeler: Mr. McGillicuddy and his steam shovel. It was a children's book. They got stuck in the basement so they burned the steam shovel into the boiler.

Eudaly: I'm familiar with the book. I must not have ever read the ending, though. I thought this was Portland lore. Okay. [laughter]

Wheeler: The whole point is I don't want it to become part of Portland lore.

Elliott: No, we don't. With all contracts we like to provide you an update year round with the various dmwesb participation and I just wanted to show you that, originally aecom committed to doing 28.4%. They are completed 19.4% and the rest of their work falls into the majority now falls into west yost. For the next four years west yost is committed to doing construction support services at 18.8% mwesb. West yost has a dmwesb requirement so going forward we'll be seeing 18.8%. Aecom, cornforth have an mwesb requirement in regions small business requirement has whereas west yost has the disadvantaged requirement as well. To today we have done 18.4% and 10.6%. As Gabe and the commissioner mentioned all three changes falls within city council's approved -- current approved budget funding of \$205 million. We're just moving money around within that 205 by using a similar contingency. With that I'm asking you to approve the two contract amendments for aecom and cornforth and approve the new sole source contract and we're here for questions.

Wheeler: Any further questions? Is there public testimony on these?

Moore-Love: I believe he left. Yes.

Fritz: I want to make a final comments. Thank you for your diligence on this tremendously complicated project, long term thing, you'll note the reservoir comes online December 31, 2020, which is my last day, so I'm hoping that we keep to the timeline. I need to mention looking at all those trucks you can see what a massive project this is. The neighbors have been fantastic working with us and our communications team, in recognizing it has to be done and we have worked diligently to minimize the impacts. Obviously you can't do something this size without the neighbors noticing. Thank you to them and to your team.

Wheeler: Commissioner Fritz, I remember when we approved construction contracts in 2016, we had quite a few neighbors in here who were very, very concerned about the impact particularly the trucks coming through the neighborhood would be. I believe you have lived up to your commitment to make sure that the needs of the neighbors are address and the communication remains open. I Just want to acknowledge that and thank you for that.

Fritz: I have to thank commissioner Fish got this started and set the bones of how this is going to move forward. Thank you.

Fish: One of burdens of serving on this council for ten years we remember when the chambers would be full around a hearing like this. Times have changed. The bureau enjoys a different level of public confidence. This project is going to be a home run for the neighborhood. I just want to acknowledge that last Saturday over 2700 people came out to the rose garden to enjoy a free concert in the park. When this project is complete, that will be another amenity which will draw people to that area. It's fantastic.

Wheeler: Worth the wait for sure. Thank you. 771 is a nonemergency ordinance, it moves to second reading. 772 is a nonemergency ordinance It moves to second reading. 773 is also a nonemergency ordinance, it also moves to second reading. Karla, have we completed everything?

Moore-Love: I believe we did

Wheeler: We're adjourned until 2:00 p.m.

At 12:01 p.m. Council recessed.

August 7, 2019

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.

August 7, 2019 2:00 p.m.

Wheeler: Good afternoon everyone this is the August 17, 2019 afternoon session of the Portland city council. Good afternoon Karla can you please call the roll.

Hardesty: Eudaly: Here. **Fritz: Fish:** Here.

Wheeler: Here and now to the rules of order and decorum.

Fish: Mayor can move reading of the rules.

Naomi Sheffield, Deputy City Attorney: You can definitely move them. Sorry --

Wheeler: By popular acclaim we'll waive reading of the rules.

Item 776.

Wheeler: Commissioner Fish.

Fish: Thank you, mayor and colleagues. In February of last year, the council adopted an arts affordability plan. I have a copy in my hand. A set of recommended actions to protect and preserve the arts and artists who make Portland special. In the almost 18 months since then, we have been hard at work turning the recommendations into action. Joining us this afternoon are Jamie Dunphy, senior policy director in my office, Tracy Schreiber who is completing a 11 month arts affordability fellowship focused on implementing the plan, and Pollyanne Faith Birge arts and culture policy director for commissioner Eudaly.

Jamie Dunphy, Office of Commissioner Fish: Good afternoon, my name is Jamie Dunphy. It's a pleasure to be back in front of you today. 18 months ago I sat in this chair and outlined 24 recommendations to preserve Portland's art scene. Those recommendations were not aspirational. They were a road map. Since then we have tackled many items in this plan. We have been opportunistic when new ideas were presented and we have learned a lot. We're so thankful to the 100s of artists, nonprofits, developers, businesses and leaders across the city who share our values and who have partnered with us. Before we share the outcomes of our work I want to flag three important things that have happened in the arts in the last year. First last summer the auditor Hull Caballero released the first audit of the regional arts and culture council. Her report gave us guidance on how to strengthen the city's relationship with racc, clearer goals, clearer lines of responsibility, clearer accountability and clearer leadership from the city. The audit's recommendation aligned with our arts affordability agenda and we worked with the mayor to quickly add the role of city arts manager in the office of management and finance or omf. This position will be key to ensuring the continued success of our work with racc. Second as part of his bureau reassignments last September the mayor asked commissioner Eudaly to serve as arts commissioner. Polly and the commissioner's office have been very collaborative partners. Third and finally racc announced last November that Madison Cario would be the next executive director. Madison has been a great partner in our early work together. What have we been up to and what have we accomplished? We have a number of exciting updates for you today. Our first victory came before the plan was even adopted, during the hearing last February, commissioner Eudaly as bureau of development services commissioner in charge announced the creation of a small business and arts liaison team tasked with getting to yes. The team would help small businesses, artists and other small organizations navigate their way through the city's permitting requirements. It was really heartening to have one of our recommendations checked off

August 7, 2019

before the hearing was even over and it gave us momentum. From there we went to work. That June we hosted a roundtable of all the campus institutions in the city including pcc, psu, university of Portland, the university of Oregon, Oregon state university, lewis and clark, Marylhurst, Pmca, the Oregon college of arts and crafts, ohsu and legacy emanuel. We held a meeting to better understand the challenges that they face in creating opportunities for public art and what we learned in that meeting is that they were doing far more than we imagined, but there challenges were far greater than we expected. In the months that followed marylhurst university closed, the Oregon college of arts and crafts closed, pcc lost its dance program and lewis and clark shuttered its gallery. While the challenges they face are daunting that round table fostered important introductions and learning.

Pollyanne Faith Birge, Office of Commissioner Eudaly: Good afternoon, mayor Wheeler, commissioners. I'm Pollyanne Birge and in may of 2018 the space finder website officially launched in Portland thanks in no small part of Teresa Koberstein. This resource is a great first step to creating an inventory of publicly accessible creative spaces in Portland and we're doing more. This year mayor wheeler's budget funded the first step in a future cultural mapping project, this will give us a tool to show where we do and don't have good access to art and where we should target our investments. Thank you supporting this request.

Tracy Schreiber, Office of Commissioner Fish: I'm Tracy Schreiber with commissioner Fish's office. When I started this fellowship I worked with my colleagues to identify action items I could deliver on in my short time at city hall. My first project was inspired by, but not directly from the list of recommendations, working with a handful of small and medium size arts organizations we identified a gap in how we permit arts events. I worked with the fire bureau and development services to create a new permit. The annual permit for temporary arts and culture events allows for more frequent and bigger events and performances and will make a real difference to artists cutting costs and red tape. Next we announce six space grants, free use of parks facilities in exchange for community access to art. The idea was simple, we have space but we don't use it all the time so let's let artists use it. We awarded six grants to an exciting, diverse group of artists, a musician working with incarcerated youth statewide, a collective advancing the voices of underrepresented groups through a multimedia podcast, two of groups who create art with community to deepen their understanding of black history in Portland a young actor and poet focused on the Japanese-American experience and power dynamics and a group celebrating queer people of color in theater and that was just the first class. Then we looked at the code for 2% for art and made two key changes. Under city code major construction projects must dedicate 2% of construction costs to public art. Since the projects historically happen downtown we have amazing public art all throughout the downtown core, but we don't have enough of it elsewhere. The first change was to formally disconnect the place where the art goes from where the building is built, the second change redefines public art. There are lots of ways for art to serve the community, now building out creative space with 2% dollars is allowed, this new flexibility makes the program more versatile. For example parks can include a stage or a culturally specific space in every new park. Pbot can build supportive structure in the right of way to enhance mobile opportunities for activities and performances. Large projects could include an art gallery and offer rotating exhibitions to elevate community and artist, we're excited to see what future projects bring. At the parks bureau we're exploring ways to invest capital dollars in existing spaces to allow for greater use. We're focused on our anchor community centers which often have underused athletic space and outdated audio visual equipment. Soon we hope to bring an updated sdc project list to council, it will include things like acoustic tiling and sound systems to extend capacity of community hubs, it will be more accessible for more purposes and more

August 7, 2019

people. At the same time we will also propose a small change in sdc code to clarify that mobile facilities are eligible. As our city continues to grow we'll be able to expand our system in new and creative ways like an art truck that parks will use to bring creative programming to neighborhoods around the city, especially places that don't have easy access to a neighborhood park. We have also prioritized opportunities to create culturally specific creative space. Two examples are the interstate firehouse cultural center or ifcc and the hill block development. Both of these projects have their own unique challenges and long histories of starts and stops, but a team of dedicated volunteers has been meeting regularly about the future of ifcc and plans are beginning to solidify. The working group for the future hill block development at north Russel and Williams also presents a major opportunity for investment. Joy Alise Davis of paalf the Portland African American leadership forum is a member of this group and we have had conversations about realizing the goals set out in paalf's peoples plan for culturally specific art space.

Birge: The arts affordable plan has inspired conversations and ideas we never dreamed of putting the list of recommendations together. Around the time council accepted our report we were approached by musicians union local 99, I see Bruce in the back there shout out to Bruce. Music Portland, vortex magazine and others about a small change with a big difference. Thanks to their advocacy and partnership between commissioners Eudaly and Fish Portland now has 11 musician loading zones where musicians with a free permit can load their music equipment into clubs without fear of getting a parking ticket that cost probably more than what they're getting paid for the gig. Often the best ideas often come directly from the community and sometimes the little things that make the biggest difference. Two other examples of kind of a surprising conversations, the organization we work announced their own artists in residence program giving four artist space, time and technical expertise to become more economically stable. Thanks in part to our arts concierge teams at the bureau of development services the Portland institute of contemporary arts or pica has expanded opportunities for other artist to use their space including friends of noise, all ages music organization or the artist repertory theater during their major reconstruction.

Dunphy: In the foster Powell neighborhood the 100-year-old dave theater which formerly screened silent films recently went up for sale but it needed a lot of work. After more than a year of trying to develop an arts collaborative to purchase the building I wasn't able to make the pieces come together. Then the team from a portas stepped in and purchased the building. They are working with me and the city to bring the theater back to life, revitalizing the arts in deep southeast Portland. Other property owners are stepping up. I had a tour of Killian Pacific building near the east end of the Hawthorne bridge. There's a beautiful building built in the husk of a former warehouse that burned down more than a decade ago. They paid tribute to the graffiti and street art and that have naturally developed over the years of neglect and they built it into the fabric of their building. They recognized it's good business to incorporate art into their office building, that it makes their tenants happier to be there and it's good for their bottom line. Working at the Portland housing bureau we now include language in affordable housing development solicitations that preferences developers who include a creative space in their buildings and we worked closely with the team at prosper Portland on their affordable commercial space initiative to ensure that the two ideas are complimentary. We have had a productive partnership with prosper Portland especially around the recommendation of short term leases in buildings in queue for development. The prime example and the biggest opportunity seemed to be the post office site at the west end of the Broadway bridge. Thousands of square feet of perfectly usable office space ready for a painter, a potter, a dancer or a writer, but due diligence showed the building was unusable, it was unsafe and didn't meet building code. Out of that and thanks to the team at prosper Portland we're now looking across the street

August 7, 2019

at union station on the other side of northwest broadway. This facility, long underused and in drastic need of higher use, is an excellent opportunity for the right tenants and we're working to get creative space up and running soon. We have incorporated creative space into council approved building including the Freemont place apartments near centennial mills and the odot blocks development in the central east side. Not everything in the plan was a hit. Some recommendations when we dug deeper just weren't worth pursuing. One example is recommendation number 8, establishing a creative space definition in the mixed use zoning code. Working with the bureau of planning and sustainability it became clear that the zoning code would allow for creative space but the challenge was a state building code that would require a change in Salem. Another example had to do with the challenge of creating new gallery space. This was a technical problem based on the difference between an assembly space and occupancy. In Seattle this was a clear problem preventing creation of new spaces and that problem exists to some extent in Portland but wasn't widespread enough to affect the industry more broadly so it wasn't worth the effort to pursue. In some cases the win was a new relationship between people with property and artists who need access to it. Here are two more examples. Charlene zidell, an advisor on our arts affordability plan, is deeply dedicated to the arts. We hope that conversations with her and the Zidell development team would eventually lead to a strong arts component in the built-out zidell yards. Across town a developer in Kenton faced a challenge programming the commercial space in an affordable housing mixed use development. We worked with them to explore the possibility of matching them with an arts group and we weren't able to make it work but other people know about that discussion and the arts are on the radar by the development community in a way they have never been. We're proud about this progress and of the interest our community has shown about being part of this work.

Schreiber: So what's next? Four ideas we will continue to pursue ideas including a real estate investment model focused on the arts. This will require a strong community partner with expertise and capacity. If something like this could be stood up we would look for ways to modify the city property disposition process so that we could contribute surplus property. Arts districts to recognize unique and vibrant creative neighborhoods, they are shining examples in north and southeast Portland. Regional partnerships and coordination. We want to work with our colleagues in the region and discussions we've hosted have forged important relationships. We don't know what fruit this will bear but we're excited. Increased private and foundation philanthropy. This is key to success in other cities and Portland is overdue. Government cannot support the arts alone. We need to facilitate relationships between the philanthropic community and the creative community and do our best to sustain those connections.

Dunphy: In summary we're proud of what we have accomplished in fewer than two years but we continue to face big challenges. Artists of all levels of their career are struggling, quitting or leaving. Housing prices are prohibitive. Music and performance venues are struggling to stay afloat. New developments are changing the character of places where dancers could practice, musicians could rehearse, actors could perform, painters and potters could produce work. There's a lot of work ahead. Thank you for making arts affordability a priority and for your support. Despite the head winds we're showing the creative community that arts matter and we're working together toward a brighter future and we're happy to take any questions.

Wheeler: I'll start since I'm not the one who brought this report today, so I'll take that approach. Thank you for a very, very clear presentation. I just want to say given the number of items on this checklist, what did you say Jamie, it was 18 months ago that we saw this for the first time. I remember that presentation. We had a lot of public discussion about it. I remember thinking this is a very ambitious list and I wondered how quickly you

August 7, 2019

would be able to get through some of the items cause a lot of them require a tremendous amount of work. I just want to give you a shout out and accolades for the number of items you have carefully analyzed. I also appreciate when people come back before the council and say, this was a really good idea but for reasons a, b, c, it just didn't pan out the way we thought it would, so I have scratched a few off my list and I take your word for it and I appreciate that. There were two items you mentioned that really intrigued me. The first was an idea of an arts district, can you flush that out a little bit more.

Dunphy: You know, in many ways it could be what we want it to. There are good examples of arts districts where sometimes it's a branding opportunity only and for a district to call themselves the entertainment district or the dance district or whatever it might be, there are other cities that just use it as a branding opportunity and they run with it. You see it on street signs and on paintings on the roads. It could be something as simple as that. It could also be there are already naturally existing clusters in areas where the arts are already accumulating and artists are able to afford to live and we want to give them more opportunities to maybe take ownership of the built environment, see what that looks like. Trying to find maybe opportunities for flexibility in how we do public events or how we do permitting for things that maybe don't fit the mold that would be beneficial for artists but not for anybody else. It really could be anything. What we would really need more than anything is a dedicated set of community partners to help us figure out who would want to be that and why and how we can help make that better for them.

Wheeler: So should we expect a proposal at some point or is this something still being worked through?

Dunphy: That one is on the list that we're looking at in the next 18 months.

Wheeler: I won't push you too much but the connection between philanthropy and the creative community this is something that I always notes is a glaring difference between the city of Portland and say san francisco or Seattle or Albuquerque and other communities. We really don't have the depth of philanthropic base. It's not like we don't have the resources in this community, we definitely have the resources, but we haven't been able to figure out yet working with philanthropy and working with other institutions in the community how to cultivate those resources and invest them in the things we would love to see Philanthropist invest in. If you see a role for us that's something that's always been interesting to me. Last time you came before the council you talked about this notion of arts pods in public spaces. Of course since then we have had all this discussion about the food pods and the food carts and we want to preserve the things we really like about Portland that are somewhat unique to our brand and the food carts are part of that. The art pods fits in neatly with that conversation. Is there an intersection yet between all these conversations and the work that pbot is doing under commissioner Eudaly and the work we're doing under some of our permitting and planning bureaus?

Schreiber: We have started conversations between the parks bureau and pbot and developed a high level vision of what that could look like between our two bureaus, parks being able to create mobile facilities, pbot being able to promoting infrastructure within our rights of way to support mobile facilities that would be like the pods. We're working towards a pilot of an art truck in parks to demonstrate the value of a mobile pod of that sort and the pod can really be anything.

Dunphy: We're also very open to working with an art group or a nonprofit that may be interested in building something similar to a food cart pod if they are looking to create more of the Saturday market feel but make it more permanent. That's not something we can directly lead on but if anyone in the community who is listening to this and is interested I'm certainly available to start fleshing that out.

Wheeler: It's interesting, and my colleagues have obviously been prime movers in this, how this ties to the conversation we had this morning around free walls and some of the

August 7, 2019

conversations around the codes we have in place for very good reasons but they sometimes come into conflict with I guess what I'll just describe as the freedom of artistic freedom. There's a really cool tie-in here. That completes my questioning. I just want to give a shout out to my colleagues and give a shout out to all of you. I really appreciate the work you're doing on this. I think it's visionary and I look forward to continuing to work with you in whatever capacity I can as mayor and have my bureaus be engaged as fully as possible.

Dunphy: Thank you, sir.

Wheeler: Commissioner Fish.

Fish: Thank you very much for the presentation. There's a part in the presentation where you talk about being opportunistic and seizing things that come along. I think that's right. I also appreciate the emphasis you placed in your report on opportunities that you pursued but didn't pan out. One of the things I learned when I first got elected to public life is that we're not allowed to publicly admit our failings. One of the great books I ever read was the biography of Steve Jobs. It was titled my history of failure and how I became successful through it and the book is chapter upon chapter of missteps and failures and misjudgments, which ultimately led to perfection. In his world, he was given the space to make mistakes, to overreach, to fail and out of that came a collective wisdom that informed one of the great companies and company stories in our history. I'm being a little facetious, but we're not really supposed to acknowledge when we fall short. I think actually we need to do that more. First it's honest. I think people appreciate that. Second, how else are we to learn unless we do along the way stumble? All the great lessons of my life have come to me through trial and error. Why shouldn't that be in government? So I appreciate that you have highlighted some of the areas where we fell short. I want to drill down a little bit in a couple of points because they are really important. First of all, we are seeing very robust systems development charges coming into the city right now. I spoke to a reputable builder recently who said I foresees at least two more years a least of a building boom. We can argue about the positive and negative impacts of that building boom on our community but one positive is they generate developer fees which we can use for good purposes. I love the idea of taking some of those so-called systems development charges and investing them in our community centers so that our sound systems are upgraded, our stages are upgraded and we can do more performances in our community centers. That seems like an easy win and it has my full support. Bruce Fife is here, he confirmed with me that the 11 musicians loading zones that commissioner Eudaly and pbot put in place have been a success. Now the question is can we expand it? Can we put it in some other places? Have we demonstrated it's working and should be expanded? We used the formula a small idea with a big impact, but that really minimizes the amount of work pbot put in to make it happen. Its an example of where two bureaus or two commissioners or two leaders working together can really move the ball. I was appreciative of that. I want to plant a seed with my colleagues because in passing, and it's on the cheat sheet handed out, in passing we reference the interstate firehouse cultural center. I don't want to leave anyone with a misimpression here. This is going to be a very big lift. The existing building is a unreinforced masonry so there's going to be a cost-benefit analysis looking at the great history and legacy of the building that Charles Jordan helped save. Thinking about the next 100 years, one of the questions is does it continue at the existing building or new building? That will be informed by a lot of questions that we can't answer now because we don't have all the data, but mayor, if we are to take ifcc, which has such a great legacy in that community, and if we are somehow able to marry it with the work that you're doing with the housing bureau around right of return and culturally sensitive development in inner northeast, I think there is a big idea about bringing housing and the arts to that site. I hope in the next year or two that prosper Portland and the parks bureau and the housing bureau

August 7, 2019

can collaboratively work together to figure out what is that big vision for ifcc, because I don't think any one of us can fund it but I think we all bring tools to the table, which is important. I have heard nothing about positive feedback about the arts concierge position that commissioner Eudaly put into place and now continues at the bureau of development services and that's a bit of a back to the future issue because once upon a time there was someone who did that job and a lot of people we know like Ken Unkeles and others rely on that person's accumulated wisdom and we lost that position and now we're restoring that position which I think is very important. Finally I want to emphasize another thing we can do as leaders that won't show up on this chart, but it's an example of where on light touch we can make a difference. A number of years ago northwest dance project had identified a studio on the other side of the river where they wanted to move and there was a big zoning problem. In fact because of the zoning code it appeared that it would cost them too much to retrofit the building. Well, a number of people got involved at the city and on the private side and some talented lawyers and problem solvers at the city, and ultimately found an exemption that applied to that building. Which is now home to northwest dance project and all the work they are doing. Pica was very fortunate to have deep pockets on its board, now they have a home at 15 hancock. One of the things we need to be thinking about as we do a scan of arts organizations, how can we help plan for the next generation? For many that means how do they control their own destiny, how do they control the land. One of the organizations we have been having some informal conversations with is milagro. Milagro finds itself a property owner in the middle of one of the hottest districts in the city, central east side, with a zoning code that allows them to develop the site and potentially have creative uses, a new theater and a way to pay for it. That won't show up as one of our arts affordability wins at some point, but there have already been a number of conversations about how might we working with a bunch of different partners help milagro down that path? Because this may be the first time for them to seize the opportunity of leveraging what they have and what they have is golden, they own the dirt under their theater and they have an opportunity to leverage that with this real estate boom and create a permanent home. Those are sort of ad hoc comments, but I really appreciate the work you've done. I appreciate the handout which shows the progress we have made. I also want to say that in my ten years on the council I never remembered a time when so much negative displaced the positive in our community conversations. It almost seems like something got into our water system and it has turned otherwise optimistic people in pessimist, its caused people to go from yes, but to no, but. My emails reflect it, my colleagues have the same emails which unduly charge instead of engaging public officials around problems. I have my own theory about how we got here and I'll spare you my theory, but we have so much to celebrate. The mayor mentioned that this morning when he said there are so many good things happening in this city. I was at a ribbon cutting for the new Halprin open space sequence. You could say that master work by lawrence Halprin is one of the most important art installations in our city and I was so excited about it I took my wife there this weekend and we walked from keller to source and here's something interesting. Early on a Saturday morning there are lots of people out. There are people walking it. I ran into a couple of crews from my parks bureau and they were so appreciative that the investment had been made to reclaim the sequence. So that the work they did was maintaining a gem, not always feeling like they were up against it and they were losing the battle. We have made a commitment at parks to put extra resource into preserving the work done. That started in 2012. It took time. It took public and private resources, over \$4 million, but what it's going to lead to is the revitalization of the south auditorium district and I think in the next couple of years, mayor, there will be a very compelling argument to be made for rebranding the whole district around the fountain district and celebrating really the great master work that lawrence Halprin gave us. Let's

August 7, 2019

celebrate, acknowledge where we fall short but not forget that Portland is still doing interesting and great things because of the people who live here. I'm proud to play a small role.

Wheeler: Hear, hear.

Fish: Commissioner Eudaly.

Eudaly: Well, thanks for the presentation, everyone. I feel a little bit silly because I feel like I have already said all of this in front of almost everyone in this room.

Wheeler: I don't remember it.

Eudaly: The mayor never listens to me. For those watching and for posterity --

Wheeler: I listen but it takes me three times, right? Three times.

Eudaly: Duly noted. I'll add a few remarks. The issue of arts affordability is very personal to me. As a former creative small business owner, the cofounder of a literary nonprofit and someone who has been immersed in Portland's arts and culture community -- now you're listening too hard, [laughter] for decades I know that affordability is this invisible but completely essential ingredient to our vibrant and diverse arts community. I have said this before as well, Portland has built its brand on our creative communities, but we haven't done nearly enough to protect or support their continued ability -- the continued ability of artists to live, create and present their work. We haven't been equitably distributing the limited resources allotted to arts funding which is something that didn't come up today, but I wanted to not I'm particularly happy about the key changes we made to the 2% for art and that we funded a comprehensive cultural mapping project. This arts affordability progress report shows we're making progress for both achieving equity and affordability in arts and identifying gaps and opportunities in our city. I want to thank commissioner Fish for all the shout outs and acknowledgements. Sometimes I don't even realize what I'm doing. It's just my job.

Fish: You have a good staff too.

Eudaly: Yes, I do. I'll get to that in a moment. I want to express my support for the city arts programs, program recommendation to initiate a regional cultural planning process to be completed in 2022. I recently found out our last cultural plan was completed. Does anyone know -- you guys are not allowed to weigh in. Do you know what year it was completed? 1992. George h.w. Bush was president. I was 22 years old. My rent was about \$100 a month. And many of the talented artists working in our city today had not been born yet. I hope we can agree it's time for a new plan. Based on similar plans in other cities we estimate the cost of this planning process, regional planning process, to be around \$400,000. The significant sum but small relative to the contribution that our arts and culture community makes to our local economy including \$330 million in annual economic activity and over 11,000 jobs. Similar size regions across the country have engaged in community driven cultural planning have seen more than a 20% return in economic activity than Portland does now so clearly we have a lot of unrealized potential both creative and economic, and we have a lot to lose if we don't put the time, money and resources into this vital process. I'm going to save my thank yous I guess for the final vote.

Fish: Move the report.

Eudaly: Second.

Wheeler: We have a motion from commissioner Fish and a second from commissioner Eudaly. Any further discussion? We'll call the roll, please.

Eudaly: Well, thank you to Jamie Dunphy and Tracy Schreiber from commissioner Fish's office, staff and leadership at the regional arts and cultural council who are back here so quietly. Do you want to yell or clap or -- [cheers and applause] [laughter] no singing telegrams today. Okay. Kristin Calhoun, Helen Daltoso, Jeff Hawthorne and Madison Cario, our creative laureate suba Ganesan, and my wonderful arts and culture policy director Pollyanne Faith Birge and the dedicated team of stakeholders and contributors

August 7, 2019

and community members who helped shape the first set of recommendations. We have much more to do. So I am very grateful for such dedicated, smart and enthusiastic collaborators moving this vital work forward. I vote aye.

Fish: My thanks are the same. Jamie, Tracy and Pollyanne, thank you very much. I want to echo what the mayor said it was an outstanding presentation. Thank you very much. To my colleagues, thank you for your strong support of the arts. I agree with commissioner Eudaly wholeheartedly, we have a lot more work to do. I'm reminded that during the teeth of the last recession the city actually increased funding for arts under mayor Adams. So whether we have good or bad times I would argue it's a good investment and we need to continue to keep faith with something that makes Portland special. I want to thank the racc family for coming out today. It's an embarrassment of riches, I don't even know who's back at headquarters running the show? We have all the top people. Thank you for your strong partnership. I want to thank stan Penkin who's here, formerly of arts pac, one of the tougher questionnaires I remember filling out when I ran for office. Not everyone filled it out, amazingly, but we appreciate the work you did on. That thank Bruce Fife and the musicians. That's an example, the partnership with Bruce Fife and the musicians is just a classic example of what to many might seem a relatively small thing but where we can fix it, make a difference in the lives of working musicians, and it's a win-win. I really appreciate that. Mayor wheeler, in your budgets to date you have kept strong funding for the arts. I'm going to be working with commissioner Eudaly to outline a number of things in the next budget that we would like funded. I think it is very important that we have a regional conversation about the next chapter and that we fund that. I'm proud to serve on a council that is pro arts and I'm really proud of your presentation today. Thank you all. Aye.

Wheeler: This is fun as well as informative. I want to thank the commissioner Fish and commissioner Eudaly, I want to thank their teams for providing what I think is once again a top flight report and there's nobody in this room today that I can tell who has not had some important role in furthering this work and keeping us focused on what I think is a really great vision for the city. Portland wouldn't be Portland without the vibrant arts scene we have here and the cultural scene speaking more generally. I'm really excited as I look at the list here of the really amazing and innovative and I think significant opportunities we have ahead. None look like easy boxes to check. They will take time and energy and focused resources and funding, but I'm confident if we continue to work with the leadership we have and the leadership at racc and all of you we can accomplish much of that and that will continue to put arts front and center in our community. I love this report. Keep up the great work. Let me know how I can be a good leader in this effort. You have provided some thought for the cultural mapping. I was happy to help with that. The hill block we're pushing forward on that, and I think there's a great opportunity and intersection here and obviously the work with prosper Portland not just at union station although that's significant, obviously as we develop the Broadway corridor, as we look at the odot blocks in the central east side, I still have my fingers crossed with regard to some opportunities with zidell as you all mentioned Charlene has been a huge proponent not only about development if we can reach the right agreement but also a huge proponent of the arts. She and her family and others understand the intersections there and I'm happy to continue the efforts around the arts program manager and the small business arts liaison team. Those are very worthy initiatives. Good work all of you. I'm happy to support. I vote aye. The report is accepted. Great report. Good way to end the day. We're adjourned.

At 2:42 p.m. Council adjourned.