



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **8th DAY OF JANUARY, 2020** AT 9:30 A.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Robert Taylor, Chief Deputy City Attorney; and Cheryl Leon-Guerrero and Ian Williams, Sergeants at Arms.

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

The meeting recessed at 11:16 a.m. and reconvened at 11:17 a.m.
The meeting recessed at 11:48 a.m. and reconvened at 11:51 a.m.

Motion to elect Commissioner Fish President of the Council retroactive to January 1, 2020: Moved by Wheeler and seconded by Fritz. (Y-4)

Motion to elect Commissioner Hardesty President of the Council: Moved by Fritz and seconded by Eudaly. (Y-4)

Motion for the most senior member of Council to be elected President of the Council at the beginning of the rotation starting January 2021: Moved by Fritz and seconded by Hardesty. (Y-4)

COMMUNICATIONS

- | | | |
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| 1 | Request of Mary Ann Schwab to address Council regarding Parks and Recreation plans for a Parks District based on the Children's Levy (Communication) | PLACED ON FILE |
| 2 | Request of Lee Cowles to address Council regarding an increase in Portland traffic fatalities in the first half of 2019 (Communication) | PLACED ON FILE |
| 3 | Request of Sue O'Neale to address Council regarding an increase in Portland traffic fatalities in the first half of 2019 (Communication) | PLACED ON FILE |
| 4 | Request of Leila Cowles to address Council regarding an increase in Portland traffic fatalities in the first half of 2019 (Communication) | PLACED ON FILE |
| 5 | Request of Chanda Evans to address Council regarding bringing participatory budgeting to Portland (Communication) | PLACED ON FILE |

TIMES CERTAIN

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| 6 | TIME CERTAIN: 9:45 AM – Proclaim the second week of January 2020 to be Slavic and Eastern European Heritage Week (Proclamation introduced by Mayor Wheeler and Commissioner Fish) 15 minutes requested | PLACED ON FILE |
| 7 | TIME CERTAIN: 10:00 AM – Accept Sport Oregon's, formerly Oregon Sports Authority, annual report on national and international sports marketing activities and event recruiting services (Report introduced by Mayor Wheeler; Contract No. 30005536) 15 minutes requested Motion to accept the report: Moved by Fritz and seconded by Hardesty. (Y-4) | ACCEPTED |
| CONSENT AGENDA – NO DISCUSSION | | |
| Mayor Ted Wheeler Bureau of Planning & Sustainability | | |
| *8 | Revise residential solid waste and recycling collection rates and charges, effective February 1, 2020 (Ordinance; amend Code Chapter 17.102) (Y-4) | 189816 |
| Office of Management and Finance | | |
| *9 | Pay property damage and bodily injury claim of Wyatt Savage in the sum of \$8,062 resulting from an auto collision involving the Portland Police Bureau (Ordinance) (Y-4) | 189817 |
| Commissioner Nick Fish Bureau of Environmental Services | | |
| 10 | Authorize the Bureau of Environmental Services to reimburse the property owner at 4637 NE 38th Ave for sewer user fees paid to the City in the amount of \$3,897 (Second Reading Agenda 1179) (Y-4) | 189818 |
| Commissioner Jo Ann Hardesty Portland Bureau of Emergency Management | | |
| *11 | Accept an Emergency Management Performance Grant from the Oregon Office of Emergency Management in the amount of \$336,816 to administer an integrated all-hazard emergency management program for the City (Ordinance) (Y-4) | 189819 |
| REGULAR AGENDA Mayor Ted Wheeler | | |

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| Bureau of Planning & Sustainability | | |
| 12 | Authorize an Intergovernmental Agreement with Metro for a total amount of \$841,931 for the Annual Waste Reduction Plan, Recycle at Work, and Business Food Waste Requirement (Ordinance) 20 minutes requested | PASSED TO SECOND READING JANUARY 15, 2020 AT 9:30 AM |
| 13 | Authorize a matching grant fund, not to exceed \$460,596, and grant agreements to assist in the cost to purchase and install safety equipment, specifically side guards, on garbage and recycling collection vehicles (Ordinance) 15 minutes requested | PASSED TO SECOND READING JANUARY 15, 2020 AT 9:30 AM |
| 14 | Amend Motor Vehicle Fuels Code to move authority to establish, revise as necessary and enforce standards for biofuels sold in the City to the Director of the Bureau of Planning and Sustainability (Second Reading Agenda 1193; amend Code Chapter 16.60) (Y-4) | 189820 |
| Office of Management and Finance | | |
| 15 | Award a Price Agreement to Rapid Response Bio Cleaning, LLC. for campsite cleanup services for \$4,528,000 annually, over a five-year period (Procurement Report - RFP No. 00001288) 15 minutes requested Motion to accept the report: Moved by Hardesty and seconded by Fritz. (Y-4) | ACCEPTED PREPARE CONTRACT |
| Office for Community Technology | | |
| 16 | Grant a 10 year franchise to Verizon Wireless LLC dba Verizon Wireless for wireless communications services in the City (Second Reading Agenda 1103) | REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION |
| Commissioner Nick Fish | | |
| Bureau of Environmental Services | | |
| 17 | Amend contract with Parametrix, Inc. for professional engineering services for the Lombard Pump Station Upgrade, and Forcemain Replacement Project No. E10920 in the amount of \$691,373 (Ordinance; amend Contract No: 30006282) 10 minutes requested | PASSED TO SECOND READING JANUARY 15, 2020 AT 9:30 AM |
| 18 | Authorize a contract with Jacobs Engineering Group Inc. for professional services for the Collections System Force Main Evaluation Project for \$4,498,823 (Ordinance) 10 minutes requested | PASSED TO SECOND READING JANUARY 15, 2020 AT 9:30 AM |
| 19 | Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Hillsdale Crest Rainfall Derived II Project No. E10941, for an estimated cost of \$5 million (Second Reading Agenda 1191) (Y-4) | 189821 |
| FOUR-FIFTHS AGENDA | | |
| Mayor Wheeler | | |
| City Attorney | | |

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19-1 Call Special Elections to fill the unexpired term of Commissioner, Position No. 2, on May 19, 2020 and, if necessary, August 11, 2020 (Resolution) 30 minutes requested (Y-4)

37472

At 1:04 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **8th DAY OF JANUARY, 2020** AT 2:00 P.M.

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

Commissioner Eudaly arrived at 2:02 p.m.

Commissioner Hardesty left at 3:31 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Matt Farley, Senior Deputy City Attorney; and Daniel Sipe and Ian Williams, Sergeants at Arms.

The meeting recessed at 2:55 p.m. and reconvened at 3:08 p.m.

The meeting recessed at 3:44 p.m. and reconvened at 3:51 p.m.

The meeting recessed at 5:08 p.m. and reconvened at 5:13 p.m.

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| 20 | TIME CERTAIN: 2:00 PM – Approve funding recommendations made by Children’s Levy Allocation Committee to renew the Community Childcare Initiative for July 1, 2020 – June 30, 2023 (Ordinance introduced by Mayor Wheeler) 25 minutes requested | PASSED TO SECOND READING JANUARY 15, 2020 AT 9:30 AM |
| 21 | TIME CERTAIN: 2:30 PM – Proclaim January 8, 2020 to be Urban Tour Group Day (Proclamation introduced by Mayor Wheeler) 30 minutes requested | PLACED ON FILE |
| 22 | TIME CERTAIN: 3:00 PM – Report on recent work from the City Auditor: Police Overtime; Portland Building Construction Contract; Tax Accountability; and various follow-up reports (Report introduced by Auditor Hull Caballero) 45 minutes requested No vote taken | PLACED ON FILE |

S-23

TIME CERTAIN: 3:45 PM – Direct the Bureau of Development Services, in coordination with Portland Parks & Recreation and Bureau of Planning and Sustainability, to conduct stakeholder engagement, analysis and develop a proposal to address recommendations made by the Planning and Sustainability Commission and Urban Forestry Commission for Trees in Development Situations (Resolution introduced by Mayor Wheeler; Code Chapter 11.50) 50 minutes requested

Motion to accept the substitute: Moved by Fritz and seconded by Eudaly. (Y-3)

1) Motion to add the following, whereas, all people living in or visiting Portland do not have equal access to the protection and benefits of the urban tree canopy, which impacts their ability to breathe healthy air, exercise, stay cool, and pursue happiness. These people include children, houseless, elderly, and those living in low income areas: Moved by Fritz and seconded by Eudaly.

2) Motion to add the following phrase, based on best available science: Moved by Fritz and seconded by Eudaly.

3) Motion to add the following phrase, preservation and density: Moved by Fritz and seconded by Eudaly.

4) Motion to add the following phrase, for inch-for-inch mitigation: Moved by Fritz and seconded by Eudaly.

5) Motion to add the following, the scope shall include specific steps to include the most impacted communities in decisions regarding tree preservation: Moved by Fritz and seconded by Eudaly.

6) Motion to add the following, the directives in this Resolution are Binding City Policy: Moved by Fritz and seconded by Eudaly.

Motion to accept the package of amendments (1-6): Moved by Fritz and seconded by Eudaly. (Y-3)

(Y-3)

**SUBSTITUTE
37473
AS AMENDED**

At 5:21 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **9TH DAY OF JANUARY 2020** AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Naomi Sheffield, Deputy City Attorney; and Daniel Sipe and Shane Mayfield, Sergeants at Arms.

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| <p>24 TIME CERTAIN: 2:00 PM – Authorize the Office of Community & Civic Life to convene an internal multi-bureau work group to develop a plan for updating cross referenced responsibilities for public involvement and commit to renewing District Coalition Office contracts through June 2023 (Previous Agenda 1053; Resolution introduced by Commissioner Eudaly) 1 hour requested</p> | <p>CONTINUED TO JANUARY 30, 2020 AT 3:00 PM TIME CERTAIN</p> |
| <p>EXECUTIVE ORDER</p> <p>25 Reassign City departments, bureaus and liaison responsibilities as stated in Mayor Executive Order dated January 7, 2020 (Ordinance; Executive Order)</p> | <p>189815</p> |

At 3:06 p.m., Council adjourned.

MARY HULL CABALLERO
Auditor of the City of Portland

Karla Moore-Love
Digitally signed by
Karla Moore-Love
Date: 2020.07.14
11:24:45 -07'00'

By Karla Moore-Love
Clerk of the Council

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

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.**

JANUARY 8, 2020 9:30 AM

Wheeler: This is the wednesday, january 8, 2020, session of the Portland city council. Please call the roll. [roll taken]

Fritz: Here. **Hardesty:** Here. **Eudaly:** Here. **Wheeler:** Here.

Wheeler: so before we begin, this is our first regularly scheduled meeting without our colleague commissioner Fish. I would like to start off by asking us to observe a moment of silence, and then we are going to do a few other things, but could we please start with a moment of silence to reflect on the life of commissioner nick Fish. [moment of silence] thank you. Today is the day that we reassign the responsibility of the council presidency. Today would ordinarily be the day we would assign the council presidency to commissioner nick Fish because he was next in the rotation. Before designating commissioner hardesty to be the council president, I would like to nominate commissioner Fish as the council president one last time.

Fritz: To january 1, 2020, second.

Wheeler: We have a motion and we have a second. You will notice that while commissioner Fish isn't here today, we are going to place the council presidency badge at his desk in a moment. This is just one way that we can express our deep depreciation and gratitude for commissioner Fish. There will be other opportunities. There will be other celebrations of life, and as the family publicizes those events, we will make sure that everybody is aware of it, both the city hall family, as well as the public at large. So we have a motion, we have a second. Karla, please call the roll.

Fritz: So as a middle child myself, I knew that commissioner Fish would not like to be skipped when it was his turn. So, I suggested this to the mayor yesterday that we honor him by making him council president. I served with nick for 11 years, and knew him for almost 12 really well because he was running for the special election when I was running in 2008. It's still hard to put into words what a great loss it is to the city and to his family, to his staff, to me personally, and to everybody who knew him. I would encourage everybody to read his statement issued in december of last year because he had so many accomplishments, it's hard to even begin to start of which ones to pick out. I do honor his staff who have been doing an amazing job. You know, nick was really sick for two years, and most of the time you would not know it. He was in council a lot. I think if you looked at the record for last year, he was one of the most present. He was there when we referred The water bureau development measures to be developed in june. He was the third vote for approving the contract to do the filtration plant, and every bureau you have, you become attached to it, and you are always looking after it, so nick was certainly a good partner being in charge of environmental services. He did an amazing, amazing task in restoring public trust in the utilities during mayor haless' administration. I know we're all feeling for patricia and maria and chapin, and that was another thing nick did really well, was he managed to balance home life and work life, and I thank maria and chapin and patricia for letting us have so much of nick. People don't realize when you are on the council, you just are on all the time. You go to the grocery store, 10:00 to 11:00 trying to get your family a jug of milk and somebody is right there telling you, could you please do something about homelessness. Thank you for bringing that to my attention. And nick not only did that, but he went out of his way to meet with people and make sure that they knew

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that he was listening, so aided by amazing staff in his office, so I am very honored to move the platform of the president's council to nick Fish. Aye.

Hardesty: I have served with nick Fish the least amount of time, but I have known and fought with and laughed with nick Fish for many easier. I don't know how many people remember that nick really, really, really wanted to serve the city of Portland on the city council to the point where he ran three times before he, actually, was elected. To me, that's tenacity. Most people, they get bruised in an election, and they are like I am never doing that again. So not only did he persevere, but he became an incredible statesmen. I battled in this chamber over the years, as I battled with everybody that served in this chamber at one time or another, but always with respect, always with humor. Always with compassion. And I am going to miss nick. I will say that when I was running for this seat, nick was running for reelection, and there were many days that he was sitting next to me that I said, you need to go home. Why are you here. Sometimes he sent surrogates, but most of the time he showed up. I said people will forgive you for not being here, but it was important for him not wanting to be re-elected that he showed up in the public forum. I have a lot of respect, again, for the tenacity of nick Fish. I will miss him, and I vote aye.

Eudaly: I think I am the career on the council. I am the cryer. I am really unprepared to say all the things that I have to say about commissioner Fish, which is fitting because I was also really unprepared for his passage. I spent winter break in the Hospital with my son, so I couldn't get a final visit in with nick. I was still hoping against hope that he would be coming back to us, or that he would finally take the break that we all encouraged him to take to focus on himself. He carried himself with such strength and dignity through this illness, that I don't think even people quite close to him realized how dire his condition was. I had written a tribute to nick on thursday in the lobby of the hospital that just flowed out of me and onto the page, and as I was putting the finishing touches on it, and I was frustrated and exhausted, and I couldn't conjure it back up. A few hours later, I learned of his death. I really have been unable to put words to my thoughts and feelings since then, so I am going to tell one of my favorite nick stories and save the rest for later. Gosh, you guys, I am sorry. I cannot get this frog out of my throat. I walked into these chambers to take my seat for the first time three years ago almost to the day. I had no idea what to expect as a political outsider and newcomer. Three of my four colleagues had endorsed my opponent, no offense, anybody, it's just the reality, and there is very little on-boarding for new commissioners, as I keep complaining about to tom reinhardt. I want that to change. Nick was the first to greet me. He said welcome and congratulations, commissioner eudaly. You are the president of the council. [laughter] with a big smile. I thought that he was hazing me, but it was, in fact, true by some odd council rule that the newcomer to the council was -- became president on the first day and was to serve in the mayor's office stead. That marked the beginning of a warm, friendly, and really supportive relationship, which never waivered through all the ups and downs of our time on council together. I think a lot about the impact of the work we do now on future generations about how decades from now when we are largely forgotten, our invisible fingerprints will still be left all over the city. Commissioner Fish made some of his finest marks in affordable housing, environmental services, parks, and the cleanup and restoration of our waterways. But, my personal bit of gratitude to nick is that he welcomed me in and insisted I take my place, not as an outsider, but as an integral part of something much bigger and more important than ourselves or our differences. It was an honor to serve on this council with him. He brought such valuable knowledge and history, humor, civility, and an endless willingness to find the reasonable and amicable compromise as our unofficial mediator and middle child of the Council. My love and gratitude and sympathy go out to his family, friends, and staff. He will be missed dearly. Aye.

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Wheeler: I really appreciate the words of my colleagues, and they speak for me, as well. It was an honored to have known nick Fish and do have served with him. Before I served with him, he was also a friend. I still remember the first time I met him. He was purely a coincidence, and life was different back then for both of us. The very first evening that we went out together he introduced me to some people who are still some of my best and closest allies. He never stopped from that very first time that I met him. We continued to enjoy that kind of a relationship. He was a great connector. He was loved by many, many people in this community. I came to appreciate very quickly that he was a highly intelligent, very thoughtful individual, and he also had a great sense of humor. I don't want to lose sight of that. That was one of the things that I really loved about him, was he had an understated, but really thoughtful and intelligent sense of humor. I will miss that about him. I want to note that he was a politician's politician. I mean that in a positive sense. I know the word "politician" has become sort of a dirty word. It has become something of a jab, but nick really embraced the good things in what a politician should be. He did the hard work. He would be in the community. He would go to the rubber chicken dinners. He would meet with constituents, whether they were supportive of what he was doing or whether they were angry with him. He embraced it all. He did not do it because he had to. He did it because he loved doing it. It was in his dna. I often wondered over the years why nick chose to be here because I am going to tell you something, nick could have done anything. He could have gone anywhere in elected office. He would have been right up there with the giants of the united states senate. He could have followed in his forebearer's footsteps and been a fantastic secretary of state. He was a statesman. He understood the importance of compromise in a time when people are bitterly divided, and the word compromise, unfortunately, has become something negative, but nick made it something good. He understood that in order to make things work and in order to get what you need done, you have to compromise. You have to listen to other perspectives. You have to work with people about different ideas, and that means you give something up in order to get something in exchange. He was a master of the game. He was a master, and he could have been anything, but he chose to spend his life here. He chose to put the best that he had behind being a Portland city commissioner. He did not aspire for higher office. He was not trying to seek a different career. He gave the best years of his life in that seat over there, and he did it because he loved it. He loved the city. He loved you. It was genuine. I was just proud to know him. There is something that I am going to do to personally honor nick. I was trying to think, what can I do. How do I reflect the woodwork that he has done? I told my staff that one of the things that I really liked about nick was reliably every day coming into work I would pass cafe umbria, and nick would be there meeting with constituents, every day. Sometimes I recognized the people that he was with. Sometimes I didn't. Sometimes they were laughing, and sometimes it looked like they were yelling. But he was out there, and he was meeting people one-on-one. Nick, I am going to do that. I am going to do that as a way that I can help take what I think was the best of what you offered here in this chamber and make it part of the way I do business going forward. That's what I am going to do for you, nick, to honor you. I want to also acknowledge the Real pain, the real hurt, and the real healing that the Fish family is going to be going through. Patricia and chapin and maria. I don't think that patty would mind if I told you that she came in to my office the other day, and we sat, and we had the chance to visit. The first thing that she did was extend her condolences to me. If that does not say something about the character of that family. The city hall team is really hurting. Nick's entire staff, most of them are here in the room today. Sonia is chief of staff. She has been working for quite some time with our staff to help make sure that this transition is a smooth one ask a thoughtful one, and others from around the city hall orbit are here in this chamber today because they wanted to come and recognize and reflect on and celebrate the life of nick

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Fish, and I want to acknowledge all of you, as well. Karla, you worked in this chamber for many years alongside commissioner Fish. I know you are hurting. I want you to know that we support you. So, we're sad today, but I also want people to know that as the weeks and the months and the years roll on, we are going to look back on nick Fish and his life, and we are going to smile a lot and we are going to laugh a lot, and we are going to say, we were all better in this community -- and this community was better for having nick Fish in it. We are fortunate to have known Him. I vote aye. [gavel pounded]

Fritz: Two other motions.

Wheeler: Commissioner Fritz.

Fritz: I move commissioner hardesty be president of the council moving forward.

Eudaly: Second.

Wheeler: We have a motion, and we have a second to appoint commissioner hardesty president of the council. Karla, please call the roll.

Fritz: Aye. **Hardesty:** Aye. **Eudaly:** Aye.

Wheeler: Aye. The motion passes.

Fritz: And then one last thing, as commissioner eudaly mentioned, we have had a tradition we just go down the rotation. I am seat number one, and nick was two, and commissioner hardesty is three, and commissioner eudaly is four. It just happened when commissioner eudaly took office, the very first day that she was president of the council, she did a magnificent job, let's be very clear, and the president of the council takes over for the mayor when the mayor is out of the country or if something happens. The president of the council is on the disaster policy council, and in the event of a major natural disaster or other attack or whatever, would be right there at the command center, so it would be better if a new council member had some time on the council to learn how things work in the city before being thrust into that role. With the rotation, commissioner eudaly will be the president of the council starting in july of this year, and that would mean that commissioner seat number one would be president of the council start anything january if we continue to do it that way. So, without knowing who my successor is going to be, I move that starting in january of 2021, the rotations start with the most senior member of the council and go down the row so that every two years the most senior member of the council would be in charge on january 1st, and that would mean the least senior would have at least a year before they would be president of the council. So, that's why I am making that motion.

Hardesty: Second.

Wheeler: We have a motion and we have a second, and any further discussion on the motion? Please call the roll.

Fritz: That's the longest speech I made about being president of the council. Thank you, colleagues. Aye. **Hardesty:** Aye. **Eudaly:** Aye.

Wheeler: Makes a lot of sense. I vote aye. Motion carries. We will move to the first item, first item is communications. I am sorry, robert, I forgot the rules of order and decorum. Thank you, robert.

Robert Taylor, Chief Deputy City Attorney: Thank you, mayor. The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and decorum during the city council meeting so everyone can feel welcomed, comfortable, respected and safe. To participate in the council meetings, you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may also sign up for public testimony and resolutions or the first reading of ordinances. Your testimony should address the matter being considered at the time. If it does not, you may be ruled out of order. When testifying, please state your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify it. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise

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stated. When you have 30 seconds left, a yellow light goes on. When your time is done, a red light goes on. If you are in the audience and would like to show your support for something said, please feel free to do a thumbs up. If you want to express that you do not support something, please feel free to do a 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 fails to leave the meeting is subject to arrest for trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

Wheeler: Thank you, robert, first up is communications, Karla, please read the first individual's name.

Wheeler: Good morning, mary ann. Thank you for being here.

Mary Ann Schwab: Good morning, mayor wheeler, commissioner eudaly, Fritz, and hardesty. For the record, I am mary ann schwab. I lived in the sunnyside neighborhood since 1971. For many years the city of Portland promises the southeast residents that the park and recreation facilities would be made available to them at the old Washington high school site. Mr. Mayor, you may recall us bringing this issue to you during your first meeting in your first term. To date, all we have is that promise, and we are concerned that the threats of prosper Portland investors may dash even that premise. I would ask the city council to pass a resolution stating their Intent to retain the Portland parks and recreation 4.8 acres open field located at southeast stark and 12th avenue for recreational use in the future and not sell it or develop it for nonpublic uses. Roughly six years ago, standing outside the council chambers, commissioner nick Fish said there was nothing he could do to fund the center until the expired in 2020. At the time of his passing he was leading discussions on how to provide stable funding for parks preferred maintenance and resources to close the service gaps providing new parks in neighborhoods where needed. As the [inaudible] increases, so does the need for open space and reaction facilities. Children have to have a place to play, to learn to swim, just to be children. Parents need a safe place to take their children and recreate with them. And let's retain the proper promise and possibilities by expressing the intent to save the Washington high school 4.5 for future generation in a resolution. I am told today city budget is 4 billion. The 100 million proposed in the construction would cost what, 5%, one-half of 1%? The figures are beyond my comprehension. I am reminded that when attending the mayor's office annual budget review sometime ago, martha from the office of government relations stated her budget was like the flea on an elephant's tail, much like my 100 million to construct that Site. Here is to peace and prosperity for all Portlanders in 2020. Respectfully, your constituent, your rebel rouser, and I will return to every budget hearing to make sure that pdc, prosper Portland, still repay for the amount of money we paid.

Wheeler: Can I get a copy of your testimony?

Schwab: I wanted your full attention and not to bring all the attachments with it.

Wheeler: Thank you, I appreciate it.

Schwab: My next stop, city archives. On this on a web where anyone can track what's happened because I am at a jumping off point. I don't want to come down here and be assaulted ever again. Thank you.

Wheeler: Thank you, Mary Ann, we appreciate you being here. Karla, could you read the next three names together, it looks like they would like to talk about the same item.

Items 2, 3 and 4.

Wheeler: Good morning. Thank you for being here, and we will give you a second to set up.

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Lee Cowles: Commissioner Fish did a number of projects with the people of parkrose, and some of the groups and the school board have asked me to convey condolences and thanks to commissioner Fish and his staff and family.

Wheeler: Thank you, we appreciate it very much. Three minutes each, name for the record.

Cowles: I am lee cowles. I was born and raised in parkrose. I've been a dentist in parkrose for 30 years. I was here last june to discuss some concerns and red flags concerning the vision zero project on 102nd. I am back because I care deeply about parkrose and Portland. Vision zero was adopted by the Portland city council in 2015, with two goals, to eliminate the traffic fatalities and serious injuries. You see on the chart since that time, we see the traffic fatalities and some other interesting statistics. Unfortunately, 2019 was not a good year, and had the most fatalities of any year since 1997. Regarding this extremely alarming trend, commissioner eudaly made a great observation, and she said, it's not just frustrating, it's deeply doubling. I've been asking, what are we doing wrong and what can we do faster. Odot and pbot have provided stats on action 2008. On 102nd avenue, since 2005 there have been three fatalities, they were duii. 102nd project was started in july of 2019. I need to explain this chart a bit. The main changes are that the streets went from four to two lanes. Bike lanes were added. These are crosswalks. These are cement barriers. One of the key things is there will be no enforcement of any kind on this street. For dui or for speeding or for anything.

Eudaly: I am sorry, what? What are you talking about. We can stop the timer.

Cowles: Pbot made it clear there will be no enforcement on 102nd.

Eudaly: That's simply not true.

Cowles: That's what's online and that's what they told us. Commissioner hardesty, I was here before, you made it sound like you are familiar with this area on 102nd?

Hardesty: Yeah, I live there.

Cowles: I hope it's okay to pick on you. Considering these changes, does it seem do you like there will be no more duii potential drivers on 102nd? Have these changes done anything for that?

Wheeler: During public comment, we are here to listen to you. Sorry about that.

Cowles: Pbot and vision zero hasn't studied the cause of fatalities, as they haven't do for most other streets, and therefore the changes they made are not going to make any changes. There is going to be the risk. In 2015 the council approved vision zero even though there was no cities with complete projects. New york city has had vision zero for five years although the fatalities have not appreciably changed. They don't look at the causes and identify them and make solutions based upon those. The second, the second item has to deal with serious injuries. Since 2005, these are the serious injuries on 102nd, two duii, two speeding, four turning Off [inaudible], you notice the last eight are pretty much accidents of congestion. Studies nation-wide concluded the best method to decrease speeding and duii is enforcement. Again according to what's online and what they told us there will be no enforcement on that, and they have said for the other streets there will be no increased enforcement, so that is the end of my part. Are there any questions?

Wheeler: Thank you. Good morning.

Susan O'Neale: Good morning. My name is susan o'neal. I am here for the 102nd vision zero project. Vision zero has, again, the two goals stating they are going to eliminate traffic fatalities and serious injuries. I will discuss the vision zero about eliminating the serious injuries and the consequences of the vision zero project. We use the northeast 102nd project as an example. Northeast 102nd had two duis, two speeding, two turning onto or off of 102nd. Two rear ends, two sideswipes, and note two-thirds of the serious injuries involved congestion. Studies nation-wide concluded the best method to decrease speeding and duii is enforcement. Pbot stated and made it clear there is not going to be any

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increase or enforcement of this regarding accidents on the congestion accounting for 67% of the serious injuries on 102nd in august of 2019, commissioner eudaly stated, we have a Frustration born out of heavy congestion. We have a lack of enforcement, which makes people think that they can take more risks on the road. Odot crash analysis supervisors confirmed that increased congestion results in increased crashes. Odot has not published a publication that states that our increased congestion leads to increased crashes. I have read many of the publications, and this is a general belief, and it is pretty firmly held in community safety. Again, here on 102nd, commissioner hardesty, if we may use you again, seeing the changes, knowing the causes of the serious accident, in considering there is no plan to enforce it of any kind, do you feel secure with the serious injuries and accidents caused from the duii, or speeding and congestion? Have they been eliminated? I know you can't answer that right now. As with fatalities, the causes of serious injuries have not been addressed, so changes to stop them have not been made. Northeast 102nd, the pilot, vision zero was to be a six-month pilot program. Yet, they stated, the pilot program was not going to be long enough to accurately measure the impact of the crashes. Instead, they changed it to be two things instead. It's going to project the impact of fatal and serious injuries, crash risks, and the speeding along northeast 102nd. Undesirable consequences to the Project such as increased congestion and traffic diverting to other streets. However, as we have just described, factors leading to fatal serious injuries and congestion were not addressed at the project. Pbot surveyed project completion did 560 surveys. 62% disapproved of the changes. Increased congestion led to increased crashes. Another day, another update from -- oh. Sorry, I am out of time, guys. I wanted to show you also the photo of 102nd on a regular basis. As you see on that street on that over there, there is a concrete sidewalk on a daily basis that third lane that has a concrete for people to safely go, they go down that street where there is no turn lane, and then they go against traffic on 102nd northbound. It's happened every day at least three times a day. I know because I work out there, and I watch it go by in the front.

Eudaly: What is the intersection?

O'Neale: 102nd and weigand. We did enforcement. I want to let you know that they did a, an enforcement for three days with a traffic motorcycle, and I am going to tell you, he probably made his year's salary with as many people as he pulled over in that three-day period because of speeding, school zones, I mean, I am watching it every day. I am watching the congestion.

Wheeler: Your point is well made. Thank you.

O'Neale: I am passionate about it.

Eudaly: I appreciate you coming here today. We can't have a conversation right now. If you have other concerns or solutions you would like to share with my office, please do so, but I understand that we've been in very regular contact with mr. Cowles for quite some time. I want to assure you -

Leila Cowles: I get my three minutes, right?

Wheeler: She hasn't testified yet.

Eudaly: But just, if I could take a moment, I want to share with you and the opinion the 102nd avenue hasn't been designated as a street where there will be no traffic enforcement. That's not accurate. Enforcement is a key part of vision zero. It falls mostly outside of pbot. And we just had a work session on it yesterday, so I am really looking forward to conversations moving forward about how we and the we I referred to was the collective we, the entire city, all of the bureaus, tri-met and odot, how we can all work together to make our street safer because pbot can't solve all the problems with traffic and traffic fatalities.

Wheeler: And commissioner eudaly, if I could build on our theme here, and I will get to commissioner Fritz. Since you are passionate about this and you care deeply. And I

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appreciate the detailed level of information that you are giving us, so that's what Communications is for, so thank you for doing it. I would really encourage you to review the testimony that was given yesterday during the work session on traffic enforcement because I think that it addresses some of the specific questions you raised in your testimony. It's worth a watch, and it's available online.

Fritz: A couple things I learned, at the traffic patrol unit there will be 25% more staff because the staff will not be assigned to patrol any more. They will be focusing on traffic enforcement. The new police chief shares the council's urgency over traffic enforcement. It is, as you mentioned, around 50 deaths is way too many. The other thing I learned yesterday is that you can get trained to be a volunteer radar monitor in a school zone, that they will train you on how to do the radar, and then you take the picture of the license plate, and they send a warning to the person who -- you cannot issue citations, but you can get people to get a warning letter so that's something that commissioner eudaly and I are both really quite anxious to try.

Lee Cowles: That's terrific. The information is previous to this most recent thing, so that's great. That would be terrific. Appreciate that.

Wheeler: Thank you. If you could restate your name for the record.

Leila Cowles: My name is leila cowles. Don't forget the -- don't forget the w. The only way to reduce fatalities is to identify the cause asks make the specific plans to overcome the causes, vision zero and pbot have failed to do so. If it has changed you have to understand that we had no information on that before today.

Wheeler: That's fine.

Cowles: In Portland, there are highly trained specialists in transportation and safety analysis, independent of vision zero and pbot, and someone similar to robert king, a public safety consultant that I know that you know. Personal transportation, safety expert, chris kemlo recently discussed the 102nd project changes. I have reviewed the crash data and the northeast 102nd avenue project identified on the pbot vision zero website. Your concerns are well founded, particularly, as they relate to serious injury crashes. These improvements are less effective at reducing or eliminating the excessive speeding and alcohol related accidents, while most corridor crashes turning, angles, and congested periods, have less severity. Most speeding and alcohol crashes do not occur during these periods. The two elements of truly improving the corridor safety are missing. Increased enforcement and increased societal accountability. Solution, stop vision zero project until an independent expert can analyze these Projects in relation to eliminating the fatalities and serious injuries and make appropriate changes. People can accept frustration and anger due to an increase in congestion, travel time, minor accidents, and as long as there is a very positive result. Eliminating the fatalities and serious injuries. When these goals are not even remotely realized, commissioner eudaly's quote applies. We have a lot of frustration born out of heavy congestion. We have a lack of enforcement, which makes people think that they can take more risks on the road. Because vision zero's project involves 30 major materials, it will touch everyone. As the 62% approval -- disapproval score and numerous media reports show the public isn't happy. We are spending a summary of this presentation to groups, to these groups to educate their people and request the city council to hire an independent expert to analyze each of these projects. Hopefully, the public will want to become involved in making sure that their streets are safe. Thank you.

Wheeler: Thank you. Thanks all three of you. Any questions, commissioner Fritz, and then commissioner hardesty.

Eudaly: Thank you for coming. Again, we are not going to have a conversation here. We need to move along.

Cowles: Thank you for your time.

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Eudaly: We appreciate You bringing your concerns. There are clearly some ongoing misunderstandings about vision zero and your group, and -- it's frustrating to have my quotes somewhat misunderstood or misrepresented. I have never suggested that the solution to our traffic fatalities is simply enforcement. Some of the statistics behind those deaths support that. 30% of the 50, well, 49 people killed on our streets last year died on odot properties. Those roads constitute 10% of the roads in our system. Those roads are not up to current safety standards. So, that's just one of many examples of how necessary safety improvements are. It is just an undeniable fact that we need to make our roads safer for all users, drivers, pedestrians, and cyclists, and none of the changes that we are making through vision zero, I mean, all of the changes are necessary safety improvements, but they, alone, cannot change behavior, and they cannot make up for under-enforcement. The reality of 102nd avenue, which while we won't have a report on the full report on the data until this winter because we need time to collect data, meaningful data, but primarily analysis shows a decrease in speed and speeding on 102nd avenue, and almost no impact to bus or vehicle travel time or to vehicle volumes on neighboring streets. I will leave it at that. No. No, I am sorry, there is not a conversation happening right Now.

Lee Cowles: Can I meet with you? Who should I contact?

Eudaly: We have 40 emails sent and received from you already, so I think that you know who to contact. But it would be jamie duhamel in my office or whoever you've been dealing with at pbot.

Fritz: I want to give you a context. We adopted vision zero in 2015, the three tenants to vision zero. Education. Enforcement. Engineering. All three of them are necessary. So that was the discussion of the council work session yesterday about increased enforcement. We also need -- we need to do the engineering changes. There is a street in my neighborhood that has recently gone from four lanes with parking on both sides to one with a center turn lane. I am astonished at how much people are slowing down. That brings me to another observation that driving behavior, it's really distracting to have you hold up a sign like that. Would you please not. Driving behavior in different parts of the city is very different. People are stopped for pedestrians who are waiting to cross the streets. They are in my neighborhood. The traffic changes that vision zero has done have made people slow down. It's obvious that people are not doing that in your neighborhood, And that's something that we can all do something about, so as I mentioned, getting trained to do that volunteer radar detection might have a good outcome in your area. Thank you for coming.

Wheeler: Thank you. Last individual, please, Karla, for communications. Good morning.

Item 5.

Chanda Evans: Good morning. My name is chanda evans. Thank you for your time this morning. I would like to share my personal experience, involvement with participatory budgeting. I will shorten it to p.b., and councilman brand ladder's district, 39 in new york city. While it is impossible to compare Portland to new york city, which supports p.b., I can share my unique perspective as a former resident who actively engaged and participated in p.b. And the benefits of bringing Portland p.b. P.b. Can take many forms. It is unique to the residents that shape their communities who are engaged, committed, and support a constituent-driven democracy. It's a volunteer delegate on the communication committee I worked with a team of my fellow neighbors led by two experienced facilitator. We conducted outreach in our neighborhood. Some overlapped, some were rejected. The idea is generated by people as they were similar. There was a demand in the public schools that was so great that mayor de blasio said no more ac on the pb on the ballot. Too hot to learn, was the pledge to ensure all schools had a.c. By 2022. Grassroots democracy brought change through p.b. To the entire public school system in new york city. P.b. Can also reveal what cities fail to fund and highlight basic community needs. It is more than

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using dressing. It is about building and inclusive of a more equitable community. It is about bringing people together. It is about listening and going to the people to look at their ideas and encourage their voice to be heard. The p.b. Process in new york city had a functional user friendly formula. Money was allocated to participating districts by the city, and the council person set aside a specific amount. The projects were placed on the ballot. Residents as young as 11 voted, and in my district, the councilman set aside 1.5 million with additional money for expense projects. Originally, say became interested in p.b. Because I had an idea for an educational project. I did the research. Created my model. And looked to allies for support. While the project involves three specific schools, it resulted in collaborative projects between another committee and ours. Ultimately, it did not make the ballot. A new initiative was underway in 2017, by the new york department Of education, and school district 15 to create a more inclusive and diverse middle school process. We realized this project would be best after is the diversity initiative took root. Sometimes ideas are retooled, placed on the ballot only to find a different p.b. Cycle. I notice my time is up, so sill close.

Hardesty: You have more time.

Evans: P.b. Is by no means perfect, and the process may appear daunting. Portland has a unique opportunity to research and learn whether the p.b. Process is successful and thriving. What p.b. Oregon needs is a commitment from leadership in Portland so p.b. Can be launched. We can have democracy at the street level. This is an amazing opportunity to harness the youth into civic participation. It's our future leaders we are looking at here, so thank you for your time.

Wheeler: Thank you for coming. Commissioner hardesty.

Hardesty: Thank you, mayor, and thank you very much for that presentation. You talked about projects going to the ballot, election ballot, or is there a community?

Evans: eb ballot

Hardesty: So it's a different process than the electoral process? Okay. That was one question that I had. The second -- oh, and let me be clear we have no discretionary Money this year, so we looked at participatory budgeting over the last couple of years, I know. Me personally, I am very interested in the process because I think it is a good community process. But when you have no discretionary dollars, and you are reliant on the general fund, which is not going to have any new resources, we have to be creative about how we start a process without money to attract money.

Evans: It can be done.

Eudaly: Thanks for coming today. I am friendly with councilman landers.

Evans: A brilliant politician.

Eudaly: Or lander. My office is interested in public budgeting. I think the biggest hurdle for us was just what a huge undertaking it was, and as commissioner hardesty mentioned, we did not have enough -- we could have spent all the money that we had available just on the process, but then we would have no money to allocate. And also, we could use more expert southeast, so if you would like to talk to jamie, my policy director, it would, I think, it's worth having a conversation to see if we can come up with something. We have done kind of what I would consider public budgeting, like more of a community budgeting, but not the kind of formal process you are talking about. And I would be intrigued.

Evans: My time spent was an amazing -- I was fortunate enough to [inaudible] on what we were Doing, so it was really an engaged process, and it's been rooted in my former district for a very long time. So they are valuable resources, as well.

Eudaly: Thank you.

Evans: Thank you very much.

Wheeler: Thanks a lot. Appreciate you being here. Karla, have any items been pulled?

Moore-Love: We have had no requests.

Wheeler: Call the roll.

Fritz: Aye. **Hardesty:** Aye. **Eudaly:** Aye.

Wheeler: Aye. Consent agenda is adopted. Next item, first time certain, item no. 6.

Item 6

Wheeler: I am pleased to bring forth this proclamation on behalf of nick Fish. I would like to begin by thanking irene for helping to organize our annual slavic and eastern european heritage week. Irene is the co-founder of the slavic empowerment team. I am pleased to introduce our invited testimony today, ellen alice, the president of the Portland sister city association, maria representing irco slavic advisory board, and a student in the russian flagship program at Portland state university. Thanks for being here, and you can go ahead and take it away.

Mariya Klimenko: Thank you very much for having me. My name is Mariya. As you mentioned I am part of the irco slavic advisory board. I also have a students who goes to the russian immersion program at kelly. I am honored to be here for the Proclamation of slavic and eastern european heritage week, and I wanted to share a bit about my personal story as to why this is meaningful to me. I came here when I was ten years old as a refugee from ukraine as a single mother who had to start from atmosphere working two jobs to support us with all the language barriers and the struggle of what it means to be in a new home. I felt like an outsider at school without having a parent who was equipped to help and support me. There was a lot of pressure to assimilate, and there wasn't a lot of vocabulary to express the loss that I felt and that my mother felt of what it means to lose our homeland. I think that the story of the slavic community is really one of an invisible minority because we look the way we look, we've traditionally been grouped with white or caucasian, without what it means to be part of the slavic community and just to clarify slavic is more than just from russian or ukraine. It's a very multi-ethnic, multi-racial, multi-cultural community that includes a lot of the former soviet republics. I think there's been certainly a shift since I was young from the pressure to assimilate to really being able to celebrate and preserve our heritage. For us and for our children. With that, I think that this proclamation is a very important first step in acknowledging our experience in hoping to give our community a voice, and I hope that it will be part of the city of Portland's ongoing and Continued acknowledgment, recognition, and support for our community. Russian speakers, in fact, are the biggest refugee group in Oregon, and it's the third most spoken language here, but we don't have enough data to separate us as a community to really understand the impacts of the disparities, so again, I am very excited about this as an important first step, and lastly, I wanted to invite you all to our slavic celebration and festivity hosted at irco tomorrow night from 6:00 to 8:00, so I hope as part of that support, we will have presence from the city of Portland. Thank you.

Wheeler: Thank you. Appreciate it.

Alan Ellis: My name is allen ellis. I am president of the Portland sister city association. And I also taught russian in the Portland public schools for over 30 years. Maria was in our club at lincoln high school. As an active volunteer with sister cities and neighborhood associations, I know that I speak for thousands of Portlanders in expressing profound sadness and loss of a champion of diversity and equity in commissioner nick Fish. On a personal note, nick was as kind as he was personable. Be it at city hall or around town, he will always take the time to come up to me and say hi and encourage my work as a community volunteer. An avid jazz enthusiast, he attended our sister association's jazz bridge exchange concert a few years Back featuring visiting russian musicians and an all-star Portland ensemble led by darrell grant and jazz blues singer marilynn keller. Commissioner Fish, as you pointed out, mr. Mayor, was instrumental in helping to get the ball rolling on establishing the first week of january in Portland as slavic and eastern european heritage week. He and his staff, especially assenta lawrence, sitting behind us,

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worked closely with heritage week organizer irene, also sitting behind me, whose work in the auditor's office involves outreach to Portland, slavic speaking community, which includes tens of thousands of russian speakers in the metro area. Last may irene joined me and two other sister city colleagues in traveling to present the newly elected mayor with a copy of the heritage week proclamation at a high level meeting attended by the city's top officials and covered by reporters from local media. The next day the headlines were all about Portland's russian heritage connection. The 31 years of the sister city partnership. A breath of fresh air for american-russian relations. I should add that irene was raised in the russian community of several thousand who live and worship in the woodburn area, and it made all the difference in the proclamation message to russian officials, the media, and the general public. As maria pointed out, an Oregon-russian is only is he could to spanish as a household Heritage language, and I commend the council for the ongoing recognition and support for the expansive and dynamic community. Thank you.

Wheeler: Thank you. Good morning. Thanks for being here.

Yves Wienecke: Good morning. It's an honor to be here today in celebration of the slavic and eastern european heritage week. I am a fourth year undergraduate student at Portland state university. I am pursuing a double major in computer science and russian language, and I am part of the urban honor's college at psu and the russian flagship program. So a bit busy. I come from a traveling household, so my father was from the air force, and he's retired working with nasa, and my mother is an immigrant from the philippines, so I can relate to the struggles of being a second generation immigrant trying to find your identity in america. We have moved to many cities and countries from australia to japan, and we moved to california, and hawaii and finally my father retired in new mexico. And through all these travels, my only view into the slavic and eastern european culture was through action movies, video games, the internet, and news headlines. So I knew that this wasn't really an accurate portrayal of what the culture was actually like. I want to know more about the truth, not just the mysterious portrayal and stereotypes that we see in the media. And so this is, actually, why I decided to move to Oregon and why I decided to pursue higher education in Portland state university. Psu is, actually, one of only six universities nation-wide to have a russian flagship program. That's really special. It's thanks to the work and dedication of sandra and our amazing faculty and staff that students like me have this amazing opportunity to experience and learn more about the slavic community and to prepare for international careers. For the past about 3.5 years, I have not only had the chance to study the russian language and culture, but also to be a part of the russian speaking community both locally and abroad. From the cuisine to the music and the performances and my friendships, i've been really overwhelmed during my time here, by the warmth and the hospitality of the slavic community. There are many cultures, and the longstanding traditions carried from generation to generation has enriched my world view, and it's changed the way that I live my own life for the better. I have made countless friendships with slavic co-workers and classmates and peers, and it has given me a deep appreciation and empathy not only for different cultures in the slavic community, but for my own filipino heritage. And many americans are really interested, actually, in learning about slavic and eastern european heritage Cultures. But unfortunately, they don't have the resources or the community to properly explore this curiosity and learn more about the truth. That's why I believe that our slavic community here in Portland is really so special and so important. I look forward to furthering my relationship with the communities and continuing my studies with the russian flagship program, and I am proud to share my positive experience with you all, with my relatives and colleagues, and it's my pleasure to celebration the slavic and eastern european heritage with you this week.

Wheeler: Thank you all for your testimony. We really appreciate it. Thank you for being here today. I also want to encourage everybody to visit the atrium today between 10:00

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and 12:30 to continue the heritage week celebrations, so thank you for being there. Colleagues, do you have any remarks before I read the proclamation? Very good, we will read the proclamation, and then if people can join us up front for a photo, we would appreciate that, as well. So now I will read the proclamation. Whereas slavic and eastern european americans are one of the largest refugee communities with over 150,000 people in the greater Portland area, and whereas slavic and eastern european Portlanders can trace their ancestry to 15 countries in the former soviet union and 14 other european countries with unique languages, dialects, cultures and histories. And whereas the city of Portland has many slavic and eastern european employees and slavic empowerment team that works to build a more inclusive and diverse workforce. And whereas the slavic empowerment team shares culture, language and art with city employees through celebrations, displays, performances, and whereas Portland is a welcoming, an inclusive sanctuary city that celebrates its growing diversity, and whereas the city of Portland is proud of its relationship with all members of the slavic and eastern european community and will continue supporting their professional and economic advancement. Now therefore i, ted wheeler, the mayor of the city of Portland, Oregon, the city of roses, do hereby proclaim the second week of january 2020 to be slavic and eastern european heritage week in Portland and encourage all residents to observe this week. [applause]

Fritz: When you do that next year could you have someone read it in russian, because I think the russian language, I don't understand a word of it, you about it's a beautiful language to listen to.

Wheeler: That's a great idea, commissioner. Thank you.

Wheeler: Karla, please read -- item number 7.

Item 7.

Wheeler: Colleagues, please welcome jim etzel, formerly known as the sport Oregon's. Lets get that wrong, please Welcome jim etzel, ceo of sport Oregon, formerly known as the Oregon sports authority to present their report to the city council. This report is a requirement of the city's contract with the sports Oregon to provide sports marketing and event recruiting services. Sport Oregon works tirelessly to attract signature national and international sporting events to the city, providing exciting entertainment options, raising the city's profile, and supporting our local economy. The events they help bring to Portland generate city revenues through increasing the number of hotel rooms booked by major event attendees and generating user fees for events at the rose quarter and providence park. Good morning. Thanks for being here.

Jim Etzel CEO Sport Oregon: Good morning. Thank you, mayor and commissioners for the opportunity to give the report, as stated, I am jim etzel, the ceo of sport Oregon. My sincere condolences for the loss of our friend and colleague nick Fish. I think nick recognized what sports does for our community and unifying and pulling together, whether it's at the grassroots, collegiate or professional high school levels, he really saw the value in that. We so appreciated that. He also was very willing to give constructive criticisms and ideas and thoughts, and we took those to heart over the 26 years of our organization, 11 years he sat on the council. And we value all that. So our condolences to you, your staff, his staff, and family.

Wheeler: Thank you.

Etzel: Sport Oregon is two entities, one, a nonprofit 501c6 corporation that we do our development work in and 501c3, and that is our foundation where we focus on working with giving opportunities to underserved youth communities in the city of Portland and across the state to get them physically active and involved in the sports. We are supported by 140 corporations and individuals as well as the city of Portland, travel Oregon, travel Portland. We are self funded by those members. That provides our operating budget. Over 26 years we have had 400 million of economic impact, measurable in the state and the

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city. That, we're very proud of. As you mentioned we went through a rebrand this year and moved away from the Oregon sports authority as we were not a government entity, and something more reflective of what we actually are, sport Oregon. It's been very well received locally and nationally, and we are excited about that. That work was done by one of our members, wyden and kennedy, pro bono, so that was gratifying. We are also going to be moving into a new offices at 1939 southwest morrison on the street level of a low income, morrison building housing project as part of the civic development. The space has been vacant. Nine of the 12 years the building has been open. We think we are going to be a Great new addition to the neighborhood and the street scene across from providence park, and be part of the revitalization of the west end, so we are excited. We hope to be moving into those offices by april. We also have an opportunity to give space for community events for other nonprofits to host meetings and fundraisers, so it's part of our mission, and that mission is to drive the economic and quality of life benefit in our communities through sports. So with no further adieu, I would like to jump into how we deliver value this past year to the city, the reporting period that we report on in this meeting is from july 1, 2018 through june 30, 2019. First, I would like to touch on the high level events, not all the events because we would be here quite some time. This past spring we hosted the ncaa women's basketball west regional in march at the moda center. This was the most successful women's basketball western regional in history, the ncaa. We are proceeded to host it again. Over 23,000 spectators attended. It was televised on espn. Predominantly a local impact of the visitors are predominantly from the four schools, but the local citizens, we drive about 1.1 million of economic impact on that event, and obviously, we have local schools and the university of Oregon, Oregon state, and Portland state university, it all qualified for the ncaa, reinforcing our Position nationally as the mecca of women's sports.

Wheeler: Can I ask you a question? If you could go back, how do you calculate economic back? Not at the granular level, but what are you including in economic impact?

Etzel: We look at the spending both direct and indirect spending of the visitors, teams.

Wheeler: How do you do that? Do you do a random survey of hotels and restaurants or how do you determine that 23,000 spectators spent something in the neighborhood of --

Etzel: Working with our partners at travel Portland. There is booking portals that we run all the bookings through, and so we are able to measure those so we know what the room impacts were. We also know what the user fees that we generate through ticket sales, and so those things are the multipliers.

Wheeler: This is direct economic impact then?

Etzel: Direct. We want to be very, you know, conservative with our estimates from a credibility standpoint. A lot of sporting events kind of blow the numbers up. We think it's really important to be real, so we can really be incredible, especially as a nonprofit, you know, we have part of our duty is to serve those that fund us, and to be accurate with what our estimates are.

Wheeler: I appreciate that approach. Thank you.

Etzel: Little league, softball world Series was at alpenrose dairy, and ten teams, one from Oregon, the host community, Oregon always gets a position in the tournament. They are from around the world. Espn television this past year, and also in this event in 2018, there was 27 games televised internationally on various espn platforms. Economic impact measured by this event was 650,000. I would like to make a note as we all are aware of that the situation out at alpenrose and the family and the disputes there, and unfortunately the world series right now is in limbo, whether it be here in 2020. We are very actively working with little league, softball, world series in williamsport, pennsylvania, and also our friends here at adidas, who are the official supplier for little league, and we are trying to salvage this event for 2020 and beyond in Portland or the surrounding metro area.

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Wheeler: Given the family dispute is likely to not be resolved quickly, is there any way to at least get forbearance for the next event?

Etzel: That's what we are working on because little league very much likes being in Portland, Oregon, as does espn. We think it's great for our community from an exposure standpoint, but it's really great for the young girls that get to participate from a team from our local community every year. It's a once in a lifetime.

Wheeler: Are you in negotiations or discussions with The family about potentially having the event, being able to make the commitment for the event this summer?

Eudaly: We are working directly with little league, and adidas, and they are -- they have a great relationship with the kavanaugh family, so the official announcement decision was to not hold it at alpenrose in deference to the kavaughns, but I think the sentiment is shifting, so we are working on it.

Wheeler: I want to be respectful of their situation. I don't want to make in light of it. I understand it's complicated, but I am wondering given those conversations amongst the family members are continuing, if there is not some opportunity for us to at least have the event there this summer while they continue those important conversations amongst themselves.

Etzel: That's what we are trying to do.

Fritz: Is there a possibility of using [inaudible] stadium, lents park as a back-up?

Etzel: There would have to be significant dollars spent at walker because it's set up for baseball, and little league softball is on a 60-foot diamond versus a 90-foot, and it's not workable, but there are other facilities that we could possibly build temporary structures around within the community. Our ideal position would be at alpenrose.

Wheeler: When do you need that locked down?

Etzel: We thought we would have Answer brings christmas, but hopefully by the end of this month. The grand prix of Portland, the venue Portland international raceway, city facility, 90,000 spectators, and nbc sports plus over 200 countries internationally from Portland. This one is of major significance, economic impact, the return one year ago after a 12-year absence was significant. It comes on an ideal weekend from the hospitality industry standpoint, labor day weekend where it is about the only weekend during summer that we are low on room nights. We had 7500 minimum room night increase over labor day weekend over the years prior. Eight to \$10 million dropping in the local economy. There is 12 owners in indy car, all of which are billionaires, and they come in and spend a lot of money locally, especially in the restaurant and hotels, and this past year's event was the second highest rated open wheel racing event on television behind the indy 500. A lot of that has to do with the date, labor day. It's a great day for our city but also a great day for the television and exposure. What's been very interesting is starting to work more with travel Portland, and travel Oregon as they really see the value of this, both domestically and internationally and how we can work with green saver to increase the impacts and solidify them in Portland. I know that there are just about ready to sign a three-year extension to stay in the city, So we're very excited about that. We have made three trips to indianapolis to meet with them. We are just with them each of the last two days, and also kind of trying to reconnect indy car with the rose festival association.

Wheeler: Is there more that we can do to be helpful?

Etzel: Right now I think, you know, the city has been seen as a really willing partner, and I think at this time there is no glaring thing that jumps out. I think the -- what we want to do is continue to look at the investments. I know the [inaudible] invested significantly at pir, but the paving in the parking lot areas and so forth was part of the normal maintenance, went a long way, so we will continue to keep those things on our radar.

Wheeler: Let us know if there is more that we or I can do.

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Etzel: Appreciate it. Event bids that we submitted in that period. We are in the process of bidding for the women's basketball final four in either 2025, 2026, we were making a presentation in indianapolis in december. We will be seeing the ncaa again this monday in new orleans and meeting with the committee on this. We will know at the end of january if we are a finalist city, and then over the course of the spring and summer they will be visiting our city and evaluating the opportunity here. We will go back to indianapolis, if we are select as a finalist in september, and make our final Presentation. Our partners in this are the Portland trail blazers, travel Portland, and Oregon state university. What -- how we demonstrated what success looks like last year and what we are going to demonstrate again in march with the western regional again has gone a long way. They really recognized that this is a perfect city to host this event. The impacts are far more significant with the final four than with the regional final in that there is -- we would literally fill up every hotel room in the city. The final four of the travel parties are significantly larger. There is 750 media to cover it. There is 500 espn personnel that come in from the broadcast compound. It's a very significant event. Most importantly, there is a 3,000-person coach's convention, so that is in town for five days during this event. So we would have a significant number of visitors. We would rent every square inch of the Oregon convention center and fill up every room in the core hotels and downtown, and I think that from diversity, equity inclusion standpoint, we are very attractive market for this event to the ncaa and the basketball community in general. It has not been on the west coast since 1998. It's time to come west, and we hope that we are the one. So we will keep you posted. Issue the media has been covering us on that.

Fritz: We should pause for a shout out to the convention center hotel, which is really making it possible for us to bid on something like that.

Etzel: Not just this, but a handful of other things that are on the radar for the future that we never could go after before, so, and also, just the fact that hotel opening might also create several other hotels in that area that will further enable us to be a more significant player nationally. So very excited. It's a game changer, in a lot of ways, not just in our industry. We're also in a bid cycle for more regionals, both for women and for men. At the moda center. We've been in a bid process. Final submissions are in february for the cycle 2023-2026. Also working with the travel Portland, blazers and Oregon state on that cycle. Another bid cycle for the women's volleyball final four, very similar to the women's basketball final four, ideal market. It fills the arena. 4,000-person coaches convention, plus a 1200-person youth national tournament that would be here that week. That would be in december, which is a sorely needed economic boost in the hospitality industry. That's where we have the biggest capacity. I am not going to say that I am tremendously confident that we can win the volleyball in this cycle because we have never bid for it before, but we need to Put a stake in the ground that we want it. So it starts now and hopefully it sets -- we don't get it, we can -- it establishes a legitimate site for the future. We are also in negotiations because of the success you may recall the u.s. Figure skating synchronized championships that we are here where we rented the veteran's memorial coliseum for five days and had 3,000 competitors from out of state come into that in february of 2019, or excuse me, 2018. These usually bid out four years. It was stated by figure skating was the most successful event they had hosted in that category for synchronized skating. They have upticked us and want to come back because of that success, so right now, working to see if we can make that happen. And triple count softball u.s. Nationals, this was a quick bid cycle, came up last year, we work closely with the parks bureau on this. And 3,000 room nights. We don't have an estimated economic impact to be determined, but 3,400 room nights, multiple fields, delta park, if successful, there can be a long-term commitment, which they would commit dollars to parks for lighting enhancements to delta park that would be contributed by the operator, which

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would be interesting. And future events, and there is some overlap because of some of the bids, fell on the same cycle, and as I mentioned earlier I won't spend enough time on this but we are hosting Again western regionals this march at moda and expect to leverage the success. To give you an interesting point here, last year at this time we had sold 1800 presold tickets for the event. At this time this year for the same event we sold 6,000 already. So people are excited. Roadrunners club of america convention, building on the running heritage, as a state and city. It is coming this spring filling up the hilton hotel, 400 attendees. Also the national veteran's wheelchair games. We work really hard to -- with the veterans administration to win this bid, and with travel Portland. There will be 700 competitors traveling from around the country here, and it will be at the Oregon convention center this summer. We think that this is going to be a very exciting event. Triple crown, as we mentioned, a quick bid cycle, that's why it's listed twice so that happens this summer, and grand prix of Portland is back. And expect to grow. Ticket sales are ahead of previous years. As I said, we are meeting regularly with them. We see this as being a critical event to have success here.

Wheeler: Commissioner hardesty.

Hardesty: Thank you, mayor. My question is just, is this estimated economic impact annually?

Etzel: Annually.

Hardesty: Thank you.

Etzel: We've been working very diligently for the last 12 months with a lot of city bureaus to partake in Oregon 2021, the world athletic's track and field held in eugene, the first time it has ever been held in the united states. It's the largest event in the world in 2021, televised in 300 countries, nbc domestically. And we have all seen publicity in news reports about the state's support in obtaining this event. It will be in the new hayward field in eugene. We really want to have Portland as a gateway for all of the competitors, visitors, spectators that will come. This is truly a global event. It's the largest sporting event that the state has ever hosted. Portland will have a lot of spillover benefit from this, but we are trying to create direct benefit by hosting the world championship marathons, both the women's marathon on one weekend and men's on the other, and also working for some local citizen components, both global citizen and local citizen components on this. The world athletics is going to be in town this sunday, monday, and tuesday, to review our course with us along with pbot and Portland police, who have been working diligently with us, along with the mayor's office offers and the other bureau, parks included. This is significant in that from -- it really showcases Portland on international television. The ratings for the marathon, which is kind of hard for us to Fathom, but in asia and japan are equal to what super bowl ratings are in the united states. That's a significant interest to travel Portland and travel Oregon as those are key markets from a visitors standpoint and from a business trade standpoint. So we will have more to report on in the next 45 days on how that all ends up. We also are working on the -- we landed the 2022 nurse national recreational sports convention, 3,000 out of state visitors coming in for that in 2022. Part of our mission is to work on franchise pursuits, not just in Portland but across the state and facility development. A couple areas the Portland diamond project, involved with them. Work with them on a weekly basis. And furthering their pursuit, and I think that they have been doing a good job on taking care of what they can take care of, and it's really upped the baseball, whether they want to come here, so they built a compelling case to baseball of why Portland. Veteran's memorial coliseum, we are currently -- our staff is on the committees, evaluating the project, and so forced, for the future of the veteran's memorial coliseum, so we sit on that advisory committee and are active participants in that and contributors. Also the lincoln high school stadium, this is, this has been put to bed but we were kind of the linchpin in the city of Portland and Portland public Schools, Portland state

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university and doing a pretty deep dive into the feasibility with the new lincoln high school of creating a home for Portland state university football and women's soccer. And it looks like the feasibility of building a 5,000-seat stadium isn't in the cards for Portland state. It's about 55 to 65 million that they would have to cover. The delta, they would not own the facility so they are looking at other alternatives, but I think this is a very worthwhile process. If it would have happened, it would have been an incredible asset to the community and downtown Portland. Community impact, we completed our fifth year of the sport Oregon track town youth league. We put on 16 all-comer meets around the state. We have two in Portland at roosevelt and david douglas high schools. Competitors from the local meets all come up to the state championship meet, which is held in eugene at hayward field. We have had 7500 participants in this in five years, the last year we had 2,200. This is really has become a very popular deal. We chose track and field because of its successability. We actually -- it's a low barrier entry sport, and it's easy, all you need is a pair of shoes and to run. We have scholarship shoes. If kids don't have shoes to run, if kids qualify, and their families don't have the means to get to the state championship, We pay for their mileage and so forth to do that. And it's a tremendous program, and been very well received, and now it's being replicated in other parts of the country, so we will take that as a compliment. Street soccer usa, this is a unique program that we helped to establish in Portland three years ago. It provides accessibility to soccer for homeless youth or those in danger of homelessness. There is a potential we would love to host a regional or national homeless street soccer event in the future because of the success of this chapter. This was started in new york city. We saw it, and we brought it to the attention of the soccer community here and helped to launch this nonprofit, get them going. It expanded is the programs in east Portland, and then also in southwest Portland community centers this year. Play it forward is a grant program that we have with nike and providence. This past year we gave nine grants totaling 45,000 to the well deserving recipients. And all these, we don't believe in empowering the biggest. We want to help those that are on mission with what we do, so we only make grants to nonprofits around programs that they are developing that have annual budgets as an entire nonprofit, under 700,000 a year, so you won't see us giving grants to boys and girls club or place like that. Well deserving but they have Great support groups. We try to kind of create lift for emerging groups that are not being served. You will see special olympics on there. With their trying to rise from the ashes, it's a very critical program that we see in our state and one we felt we needed to support. Thank you. Any questions?

Wheeler: Very good. Colleagues. Commissioner hardesty.

Hardesty: Thank you. Just one, you have a five-year contract. What year are you in that contract?

Etzel: I am in just starting my third year as ceo, but I believe carl, we are entering the third year? Yes.

Hardesty: Thank you.

Wheeler: Very good. I will entertain a motion to move to accept the report.

Hardesty: Second.

Wheeler: We have a motion from commissioner Fritz, a second from commissioner hardesty. Further discussion? Please call the roll.

Fritz: It was fitting you gave this report on the day that we are honoring commissioner Fish. He certainly embraced sports, being an essential part of life. Aye.

Hardesty: Aye.

Eudaly: Aye.

Wheeler: Full disclosure, it's knoll really a Conflict but I formerly sat on your board, but I am obviously very appreciative and supportive of the work you do and appreciate the success you have achieved over the last year. It looks like 2020 will be an incredible year.

Etzel: We have big things.

Wheeler: We appreciate the work you are doing. I vote aye. The report is accepted. Thank you.

Etzel: One last thing I would like to add, we did make a grant to the barbara walker crossing over burnside. Our board was very inspired by that, so congratulations on getting that one across the line. It will be a great asset to the community.

Wheeler: Thank you. We appreciate it. Next item, Karla, is the regular agenda item no. 12.

Item 12

Wheeler: We often engage in partnerships with other governments that allow us to reach common goals. This agenda item covers accepting funds for metro to allow us to continue our progress towards meeting our climate action plan goals and the metro regional waste plan goals. Metro provided waste reduction plan program funding to the city each year since 1990. These funds support the bureau of planning, sustainability staffing and outreach efforts to increase the participation in recycling, composting and waste prevention programs. Jill, sustainability program manager from the bureau of Planning and sustainability is here to provide us with additional information about the partnership and the great work we achieved together. Good morning. Thanks for being here.

Jill Kolek, Bureau of Planning and Sustainability: Good morning. Thank you for having me, mayor wheeler and commissioners. I am jill with the bureau of planning and sustainability. As mayor wheeler stated, the year 2020 marks 30 years of this financial partnership. Between metro and the city of Portland. Through this partnership, my team and I have collaborated with metro to develop and implement a wide array of waste recycling composting programs for residents and businesses in Portland. The funds allocated through metro's intergovernmental agreement are adjusted on an annual basis, and based on population data, both residential and employee counts. For the 1920 year metro is providing us with a little over 840,000. The majority of the metro funds go directly to paying for subject matter, expert staff, who develop and implement policies and programs at bps. I am pleased to share a high level sampling of the varied and important work my team accomplishes through the support of the funds. This publication might look familiar. So a few ongoing program efforts include the curbside hotline team, they answer thousands of calls, from Portlanders, most pressing recycling composting And garbage questions, and real time five days a week, and we also, twice a year, mail out the curbsider to 185,000 households. Bps outdates the recycler program. It recruits, trains, and provides opportunities to a pool of 7,400 people. Bps relies on this knowledgeable pool to work in their communities promoting the message and goals around recycling, composting, greener cleaners and sustainability consumption. Each year they make tens of thousands of community contacts through a variety of activities such as organizing litter and community collection cleanups, staffing information booths, and writing articles and presenting to faith-based organizations and their workplace. Another ongoing program deliverable is the sustainability work program. The program helps hundreds of businesses create their workplace operations, an advisor offers on-site assessments, provides recommended best practices, educational resources, and connections to service providers such as [inaudible] organizations and food rescue agencies. In addition the program offers recognition and has certified over 300 plus businesses, government and nonprofit workplaces. We have also recently rolled out a few waste prevention policies, starting in october, Portland launched a single use plastics reduction policy that restricts how food and beverage establishments can offer single Use plastics such as straws and utensils to the customers, and it's upon request. We also recently brought forward in november an updated ordinance that requires homes built before 1940 to no longer be demolished by bulldozers and landfills. They must be deconstructed piece-by-use and pieces salvaged for reuse. It amends the original policy to advance the year built threshold from 1916 to 1940,

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and increasing the number of home, demo permits captured under this policy from 33 to 66% of the total market. Next I wanted to share a few forward looking initiatives that are in process, and will be coordinated and implemented regionally. We are collaborating with metro and the surrounding jurisdictions on implementing a multi-family service improvement project. The project includes new regional standards for garbage and recycling service levels, bulky waste manage, and educational signage and container stickers, and container color coding, so the container colors will be similar to the residential program, green will denote compost, blue recycling and gray and black for garbage. Ultimately multi-family residents will experience a garbage and recycling collection setup consistent no matter where they live whether it's Portland, hillsboro, beaverton, and also we are in the process of receiving 100,000 grant from the recycling partnership to pass through to the community groups To help with tenant education and engagement around this effort. Wasted food is a key area of focus for bps and metro. Food scraps make up 18% of our waste extreme. Half comes from businesses. Our highest priority is to prevent the wasting of food in the first place around careful planning, and preparation. However some leftovers are inevitable. This is where our team matches good quality surplus food to rescue agencies such as food banks, pantries, meal sites for donation. The business preparation policies aimed at capturing the food that cannot be prevented or donated. Policy implementation is underway, and all food businesses such as restaurants, grocery stores, and institutional kitchens and schools will be required to keep food scrap out of the garbage. The policy will start with official notification this spring to the largest food businesses and will be phased in over a period of four years. In total, of 3,000 Portland businesses will be included. Portland will offer assistance and outreach to all businesses before compliance monitoring and enforcement begins. Various businesses, such as individual food courts, will not be required to comply.

Fritz: Who authorized that policy? I support it.

Kolek: It's been on the books since 2008, and we finally have the local processing capacity to Handle it, so we are working regionally with you know, Washington county, clackamas county to start rolling it out.

Fritz: Did the metro policy --

Kolek: It is part of their waste plan but also in our Portland recycle plan from that time period, as well. So with that, that wraps up what I am going to share with you today. We do a lot of great work with these funds. When passed this ordinance will authorize a 1920 intergovernmental agreement that supports the continuation of this work, and many other initiatives outlined in metro's 2030 regional waste plan. I am happy to answer any questions.

Wheeler: Thank you, colleagues, any questions at this point? Excellent presentation. Thank you. Karla, do we have anyone signed up for public testimony?

Moore-Love: Yes, one person, maggie.

Wheeler: Come on up.

Wheeler: Good morning.

Maggie: Happy new year.

Wheeler: Thank you, you, too.

Maggie: Even though it's not a happy new year for valerie or linda, who died over the holidays, and cannot be eulogized by you. Valerie died over by providence park where you are supposedly building that beautiful, supportive housing. She was kicked out of tpi.

Wheeler: Maggie, could you please stick to the ordinance at hand.

Maggie: She was coughing up blood, And then she died. You know, it's fine for you to eulogize Fish.

Wheeler: Maggie, this is also in violation of the council rules, which were clearly read at the beginning. I am sorry, maggie, I will have to ask you to take your seat.

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Maggie: They probably have the largest fines of any business in Portland or anywhere. They throw away massive -- they do massive single use. They throw away massive amounts of waste. In fact, they get fined regularly by sanitation, and I don't see you saying to them, you have got to cut down on the single use stuff. I don't see homeless people, they collect all the plastic bottles. I don't see -- they eat food waste out of the garbage. Leftovers. I don't see you providing them with places to go to the bathroom. In fact, Fish --

Wheeler: Could I make a suggestion? Can I make a -- just a second, I am not going to take your time. Can I make a friendly suggestion. Can I make a friendly suggestion. Listen, this is not about what we are discussing. We are going to actually -- can you listen for five seconds? Please listen for five seconds. Please, what I am telling you is if you can wait for a few more minutes, we are going to have a presentation from the people who provide exactly the services that you are saying that we do not provide. Why don't you -- why don't you listen to the presentation. Go ahead, continue.

Maggie: I would like an extra minute because you cut into my time telling me my opinion does not matter.

Wheeler: I am telling you that you are not speaking to this particular ordinance. You are here to waste our time.

Maggie: The shelters are the worst offenders. They have the biggest fines from sanitation and waste because they throw everybody's time.

Wheeler: Thank you, Maggie. Please take your seat. If you do not take your seat, I am going to ask you to leave. We will take a two-minute recess. [recess taken]

Wheeler: This is the first reading of a non-emergency ordinance, moves to second reading. Next item, please, item 13.

Item 13.

Wheeler: Colleagues, the city of Portland is committed to making our street safer. The Portland city council adopted commission -- vision zero, you heard about that this morning. It's a plan that calls for zero traffic deaths in Portland through a comprehensive approach outlining 32 different actions. Providing a safe environment for vulnerable road users, defined as cyclists, walkers, and people using transportation assistance devices and scooters is a priority for the city of Portland. As we look to the future and expand participation in Alternatives to single occupancy vehicle transport, we all need to be safe moving around the city. I think we all acknowledge that. The bureau of planning and sustainability worked in partnership with the bureau of transportation to identify and act on an aspect of large truck use in Portland that poses a life threatening risk to road users. I would like to applaud the planning and sustainability commission for highlighting this issue and advocating for exploration of the equipment. I would like to introduce Pete Winfield with the bureau of planning and sustainability to give council a short presentation on side guards and answer any questions that we may have. Good morning.

Pete Chism-Winfield, Bureau of Planning and Sustainability: Good morning. Thank you, Mayor Wheeler, and commissioners. I'm Pete Winfield, project manager for the side guards with BPS. I am joined here with my supervisor and waste management, Bruce Walker. First off before we begin I would like to thank you all for your heart-felt words this morning. That was a very important and our condolences to you. BPS is responsible for regulating the garbage recycling composting residents for businesses, as a part of this role, BPS establishes rules that improve safety for workers and vulnerable road users. Side guards are installed to close the gap between the front and rear axles of a large truck to prevent harm to cyclists and pedestrians in the event of a side collision, and that gap is closed so if it turns into a person walking or recycling it would knock them over as opposed to them getting sucked into the middle of the vehicle underneath the vehicle. This ordinance authorizes a matching grant to assist garbage and recycling companies with installing the side guards and it is intended to do two things, one to accelerate the

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installation by providing financial assistance, and two, to reduce the potential rate increases to customers. All these companies together purchase anywhere between 30 and 40 trucks a year. We are proposing doing 385 trucks, so it's quite a glut of work that we think needs to be done right away. So as you can see on the slide, there is an example of the side guards. Side guards are commonplace in European cities. In gaining momentum in the United States, particularly, in cities that are dense, becoming more dense and are proactively encouraging their residents to cycle and to get out of their vehicles to transport themselves. So you will see in this, the number of cities that are actively working towards this, and Boston and New York, I think, are more advanced.

Hardesty: Thank you, so based on this map does this mean we have implemented these guards?

Chism-Winfield: Yes, so based off the map, this is acknowledging the work that the city of Portland has done to its own vehicles.

Hardesty: This is the city's property vehicles?

Chism-Winfield: Exactly.

Hardesty: Okay.

Chism-Winfield: Yes, so that would be separate from what this proposal would be, which would be putting them on the large trucks from the private companies.

Hardesty: Thank you.

Chism-Winfield: You are welcome. So Portland city council, as we have all heard earlier today, down at the vision zero, and a part of that was to identify this action with contracted services. Bps has collaborated with pbot staff. We compare notes. We attended each other's meetings. We raise awareness with each other and talk about the logistics of installing this, so I want to give a shout out to Shayna Hobbs, Clay, and Dana with pbot who have helped us with this project. Bps staff have also received guidance from staff at the Volpe Center, a safety research program with the U.S. Department of Transportation, and used their specifications, which are an attachment to understand how to properly install the side guards so that they do what they are intended to do. And we have information on cost, and that's in the proposal that you are seeing today. So as of January 2020, all new collection vehicles purchased by recycling companies will be required to have these installed, so as we move forward and we see new trucks servicing Portland customers, they will be required to have this piece of equipment. All the older trucks are we are trying to get up to speed.

Wheeler: Can I ask you a question, is that something that we are installing or do we have a vendor who installs those? How is that being done?

Chism-Winfield: The proposal is set up so that the private company selects a vendor, and there's a local company, General Equipment, that does a lot of this work for garbage and recycling companies, so it's likely a lot of them will go there.

Wheeler: This meets all federal safety standards? This isn't something that we are just doing makeshift. This is done to a particular spec or to a particular design or to a particular safety standard?

Chism-Winfield: Yes. And one of the exhibits is the actual specs that show the measurements required, so as we would be providing reimbursement, we would actually be sending inspectors out to check to make sure with the tape measure that all the specifications are being met according to the center.

Wheeler: And I assume the answer to this question, but I just have to ask, I assume we have also had the conversation with risk management, and this does nothing to negate any insurance or liability issues?

Chism-Winfield: With regard to the private companies?

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Wheeler: With regard to -- if you have a warranty on a roof, and you altered that roof, it can actually negate the warranty on that roof. I want to make sure that there is not any ancillary risk exposure to the city of Portland. Do you understand the question?

Bruce Walker, Bureau of Planning and Sustainability: We have not contacted directly risk management, but this is the same vendor and same project that was used on all the city vehicles, the large trucks, so we believe that we are acting in concert with the pbot directive that's already installed the side guards on heavy city vehicles.

Wheeler: Where did the volpe standard, did I get that right?

Chism-Winfield: Yes, volpe. They are in cambridge.

Wheeler: Who established that standard?

Chism-Winfield: So they studied -- what they did was look at the specifications developed in the european policies, and they took all the specifications. They also do lots of crash scenarios, so they set up these scenarios where thrilled put a dummy bicycle going next to a truck and they would show it -- you can look it up on the googles, but it shows that with the side guard the cyclist gets pushed aside, which is one of the reasons why the 400 pounds per square inch is a part of that specification, so it's strong enough to push somebody aside.

Wheeler: It looks right but -- do we have data that shows that in the field that is actually the way it works? Or do we know?

Chism-Winfield: As far as the pounds per square inch aspect?

Wheeler: I don't care so much -- they look strong. I am not concerned about that, I just want to know that the product does what it is supposed to be doing. Do we have any -- there is multiple cities in the country, do we have any data that shows that they work and do what they are supposed to be doing?

Chism-Winfield: Well, as far as information that we have, we have the two companies that provide the service. One is a company in seattle called walker blocker, and they worked with seattle and the university of Washington, and there is another italian company called tackler so these companies have been doing this for other areas for a long time, and they also, in addition to us, work directly with the volpe center to figure out what the specifications are.

Wheeler: I would like to suggest this because it appears to make sense. It seems like it's a good idea. But in the spirit of this being a long-term strategy for the city of Portland, if nobody else is collecting this information or data, I suggest that we do it. I would like us to track whether or not there are interactions with pedestrians or cyclists or people in walkers or people on scooters, and I would like something other than anecdotal information about what the real impact of these are. Commissioner hardesty, did you have a question?

Hardesty: I did.

Chism-Winfield: I have heard from the city of boston staff after they installed side guards they had one instance that the side guard resulted in pushing a cyclist to the side and saving their life.

Wheeler: The goal is to keep them out from under the back tires. Is that the play here? Commissioner hardesty.

Hardesty: Thank you, mayor. I also want to follow up on one of the questions the mayor asked. I think it's really important to make sure that we are not shifting liability if there is an accident to the city of Portland because we have installed this -- these -- this equipment onto a truck because in a car, if you make any changes, your warranty is invalid, as well, right. So it's just a conversation with legal counsel to figure out to make sure that we are on good legal ground when we start implementing this. My next question was going to be, you are only going to be installing these on new trucks, right? Or are you installing them on all the trucks that recyclers will be using in our community?

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Chism-Winfield: Just to be clear, the new trucks that these private companies will be purchasing will be responsible for putting the equipment on their truck prior to the service. This proposal is for all the old trucks to retrofit the equipment on the old trucks.

Hardesty: Are we prioritizing trucks that have less emissions? Are we prioritizing trucks that we expect will be on the road longer, right, because there is like a life cycle for these Trucks, and what we know now about emissions, I would think that we would want to be very thoughtful and not actually put equipment on trucks that we're hoping to convince folks to retire, right, so that they can get more energy efficient equipment that will be riding through our neighborhoods.

Chism-Winfield: That's a very good point, and we have put a -- in the proposal there is a limit for trucks that are 2010, and greater and newer because of the federal emission regulations on 2010 trucks, so that has been taken into consideration. We want to make sure we phase out the older, dirtier trucks.

Hardesty: It is an encouragement to get those older trucks off the road because that's -- that would, the goal.

Wheeler: And pete, just one more comment since we are not voting today, this is the first reading. If you could just check with risk management and legal council and get back to me on the issues I asked about. Commissioner Fritz?

Walker: Pete has worked very hard to bring forward our clean fleet policy which we have requirements that those older trucks are being retired. So I just want to amplify that that this is what we're targeting are the less polluting, the newer trucks and that's a requirement that we have unlike any other jurisdiction in the state of Oregon, it's what we call clean fleet and now we're trying to make it a safer fleet.

Hardesty: Thank you.

Fritz: And we paid more in our garage fees not to be able to do that. The city helped. Well the city was responsible for making sure that was financially viable for all of the companies.

Walker: And mayor wheeler, we worked very closely with legal on bringing this forward but we will do further connection on the risk management portion.

Wheeler: Thank you, I appreciate that.

Hardesty: It's always better to ask at the front end rather than the back end.

Chism-Winfield: Thank you. So to continue the average cost and for brand new trucks though the cost is much less it's about less than .05% increase the cost of a new vehicle. So i'm just going to, the other thing I wanted to make sure to say is that it's designed so that there's more incentive in the first year so that we can accelerate and eliminate this risk. So 60% reimbursement in the first year and 40% in the second year. But companies registered as women and minority owned through the state's cobid program will be receiving in this proposal 100% reimbursement. If you have any other questions i'll be happy to answer those.

Fritz: We've had at least one fatality of this kind of crash, right?

Chism-Winfield: There has been one that I know of that was directly the result of an impact with a garage truck and there have been others that have been impacted with other different types of trucks. But it has been identified. Again as cities get denser and we try to get more people out of their cars, we anticipate that this risk would just increase overtime.

Fritz: It seems to me that the liability risk is in not doing this that we know these trucks are dangerous. If we don't do something we are really in trouble.

Wheeler: I think in balance that's exactly right. I just want to make sure we have all of our bases covered.

Hardesty: I was going to say I agree with commissioner Fritz. But I also know that if we alter someone's vehicle and we don't know who is going to be liable if somebody is hurt in

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that vehicle we could be in a whole lot of trouble down the road. So I think it's important to know that information up front.

Wheeler: Does that complete your presentation? Great we appreciate it very much. Do we have anybody signed up for public testimony?

Moore-Love: We have three people

Wheeler: I will remind people the testimony is to be focused on the issue at hand. If people are not going to stick to the point, we will ask you to leave. Good morning.

Chris Smith: Good morning, Chris Smith. I'm vice chair of the planning sustainability commission however today I'm speaking as an individual. I want to comment on vision zero row in general relevant to the earlier comments. The city of Oslo, Norway in 2019 achieved 0 traffic deaths utilizing frameworks similar to what we are pursuing in Portland. Obviously they are much further down the road particularly in engineering efforts. But the formula of reducing automobile speeds and in some places the presence of automobiles has been proven in that context. I want to reinforce the efforts we're making. A few years ago we reorganized oversight of the city utility bureaus and not wanting to waste a regulatory opportunity I want to thank Bruce and management who rose to the challenge and Pete who has become the expert on truck safety. This has been a great step forward and the answer is yes, there have definitely been deaths in Portland due to what we call hook accidents. It's one of the things cyclists fear the most. Tracy Sparling and Brett are two names that came to mind. Commissioner Fritz, you may remember those, they were in your election cycle at the same time. The community definitely rose to the occasion. We made engineering changes to support that. The bike box program is a direct result of that. This is a vital program. I encourage you to do your due diligence, but the requirement for these retro fits has already been in rule. Finally I would note this is really just a first step. If you look at where the Europeans are in truck safety there are a number of measures, side guards are one, mirror systems are another to make sure that the driver can see a cyclist or pedestrian who may be along side the truck. And the design of the truck cab is another. If you look at European trucks, you'll see that the cabs look like big glass bubbles so they have much greater visibility. And I would encourage us to keep pursuing all of those avenues. And finally I'll say that I was in communication with Jess Thompson who's the executive director of Oregon Walks she sends her regrets she can't be here, but she asked me to express her support for this measure. So I encourage you to adopt it.

Wheeler: Thank you.

Jillian Detweiler: I'm Jillian Detweiler. I'm here to ask you approve this ordinance. Vehicle design is really important. This is an item that the city of Portland can take on through its regulatory authority. I'd like to commend the inner bureau and inner disciplinary approach that put Project Zero together with our waste management. People use the vehicle that is right for the trip. And some day there will be no need for large vehicles in dense urban areas. We'll be able to access a bike, an e-bike, a scooter, walk safely. But until we get there these measures help save lives so we appreciate this action. I did want to note, always interesting to come to the city council. I was interested to hear the presentation from the folks along 102nd. Commissioner Eudaly I appreciated you trying to bring out some of the complexity around vision zero and I was also very interested to hear about the council's work session yesterday. And I will watch that because that's been a real issue for our organization on what's the right place to land there. So thank you.

Wheeler: Great, thank you. And I'd love to get your feedback on that once you have a chance to review it. Appreciate it. He's already testified, you go ahead.

Maggie: I guess you're concerned about federal and state regulations when it comes to guards on garbage trucks but you're not concerned about federal and state regulations or human rights regulations when it comes to shelters which is why people are sleeping on the street because of being kicked out.

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Wheeler: You're off topic.

Maggie: I'm on topic.

Wheeler: Get back on topic or i'll have to ask you to sit down.

Maggie: I'm talking about federal and state regulations you're on regulations. I think that's what you were talking about, ted, about your concern that things fitting into federal and state regulations. Why are you trying to blind eye when it's the shelters. Why?

Wheeler: Maggie, you're wasting a lot of people's times. You're wasting a lot of people's time. Please take your seat. I'm asking you to take your seat, if you do not do so, you'll be asked to leave. Karla, we'll take a two minute recess.

Recessed at 11:39 a.m.

Reconvened at 11:45 a.m.

Wheeler: It is an age old tradition in the united states to engage in acts of civil disobedience. People certainly have every right to engage in acts of civil disobedience. But the flip side of that is I have the right to enforce the council rules of order and decorum which are stated clearly at the beginning of each council session. I took the opportunity to enforce those rules and I know maggie, and I know she'll be back and we'll look forward to seeing her return on a different day. So we have completed public testimony, Karla, is that correct?

Moore-Love: Yes.

Wheeler: Very good. This is a first reading of a nonemergency ordnance and it moves to second reading. Next item is item number 14, please.

Item 14.

Wheeler: Colleagues, this is a second reading so we have already heard a presentation and public testimony on this item. Is there any further discussion. Commissioner hardesty

Hardesty: Aye. **Eudaly:** Aye. **Wheeler:** Aye.

Item 15.

Wheeler: People have warned me that there probably will be a civil disobedience during this presentation. I would advise you hear first because there are people I would like to hear the full conversation and the full discussion. With that, colleagues, I think everybody here understands that homelessness is a humanitarian -- mr. Walsh, you are out of order. If you don't stop we'll ask you to leave. We'll take a five minute recess.

Recessed at 11:48 a.m.

Council reconvened at 11:51 a.m.

Wheeler: Back in session here we are again. Item 14, commissioner Fritz had to step out for one moment, she would like to cast her vote. If we could suspend item 15 for just a moment while we give commissioner Fritz the opportunity to cast her vote.

Fritz: Aye

Wheeler: Now that's passed with all four of our present. I was in my early introductory remarks on item number 15. Homelessness in Portland i'm sure we all agree is a humanitarian crisis. I think we can also agree that camp clean ups are difficult but necessary work to sustain and improve the safety and livability of our city. We have learned that we need our vendors not just to focus on the security or enforcement but to lead with compassion and interact with people in a manner consistent with trauma and reform principles. This is an opportunity to contractually obligate our vendors share our values and interact with people living on the streets with compassion and courtesy. Over the past few years we have learned there's a essential to camp clean ups. With these changes we're making sure they're trained in de-escalative tactics, cpr, and proper use of

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narcan to treat individuals who have overdosed on opioids. We've also learned from lived experience is a highly valuable skill that cannot be taught. The staff of rapid response can offer us these intangibles. 63% of their employees have experienced the criminal justice system firsthand. 59% have experienced homelessness first hand. And 57% are in or have been in drug recovery programs. Further these contract changes stipulate that our camp clean up vendors assist our outreach providers during a severe weather event thereby expanding our resources to reduce the impact of exposure. The goal is that by requiring proper training in qualified mental health associates and pure support specialists there will be fewer negative interactions between our vendors and folks living outside. This price agreement reflects the increased service levels required per our intergovernmental agreement with the Oregon department of transportation to clean throughout the city and do so in a value driven manner. I believe that we can address the most problematic campsites, those that create a public health and environmental or a public safety threat either to the community at large or those within the camps themselves and do so in a thoughtful and humane manner. And that is the contract that we are bringing forth today. And so with that, I will turn it over to the team, I believe teresa green is up first. Good morning and thank you for being here. Mics move around and when you speak just identify yourselves for the record that would be helpful.

Teresa Green, Procurement Services: Good morning i'm teresa green i'm the procurement supervisor. I conducted the ifp for the campsite clean ups and I was also the buyer, I was working very closely with the project manager on the news of the program based on the new requirements with odot. I listened very intently to the concerns of council when lucas first presented his ordinance. That council presentation along with your comments for those concerns each and every one of you provided very valuable input. Those were relaid over to the scope of work which will also be relaid to the actual contract we hope to have awarded today.

Wheeler: Thank you. Commissioner hardesty

Hardesty: Could you tell us what is different between the old contract and the new contract as far as the scope of work is concerned.

Green: Of course. Whenever something new comes into the contract, we do our best to try to incorporate it or the urgent needs into an existing scope of work that we have right now. But for this particular solicitation we actually had to go back out because the scope changes were so large. We do have an agreement with odot and the requirements included things that included increased insurance requirements from the original contract and that's definitely something that will impact any proposer's finances when they have to prepare for such an increase and the commercial liability requirements in addition to carrying the narcan, the requirement for the qualified mental health professional that we'd like to have go out and do some outreach in the field. There's also that training piece, we'd definitely like to see that qualified individual actually provide the training to actually all of the members of the crew that will be working in the crew so it will be an ongoing service that will be provided. They were just general enhancements all around to actually better serve the needs of the individuals whom we are impacting.

Hardesty: I think that's been one of the misconceptions is that we're renewing the old contract that people had a lot of concerns about. So the more we can talk about the difference between what we did before and what our vision is for the future I think the better it's going to be for the problem with understanding. So thank you for that.

Scott Schneider, Procurement Services: Good morning. I'll give you a quick recap of the cpo's report and then i'll turn it over to lucas and johnny. The chief procurement office's report. You have before you this morning the chief procurement office's report to council recommending the award for clean up services not to exceed \$4,528,000 a year. On july 16, 2019, the chief procurement officer advertised rfp number 88 and on august 12th five

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proposals were received. All five proposals were deemed in accordance. The city issued a notice of intent to award the price agreement to rapid response bio cleaning, llc on september 17th. One protest was received and was resolved. Rapid response bio cleaning has a current city of Portland business tax account and is in compliance with the city's contracting requirements. There are no sub contractors on this contract. Based on the historical spending for these services the confidence level for this procurement is high. If council has any questions about the solicitation process we'll answer those otherwise we'll turn it over to lucas and johnny for more information on the scope.

Wheeler: Very good, thank you.

Lucas Hillier, Manager Homeless Camp and Urban Impact: My name is lucas and I am the manager of the city's homelessness and urban --

Wheeler: Can you slide that a little bit closer, thank you.

Hillier: I always get, when I hear my voice. Thank you for the opportunity to come talk about the very challenging work. I was going to turn it over to jonathan so he can present an overview of the work that we do.

Wheeler: Good morning.

Jonathan Lewis, Program Coordinator Homeless Camp and Urban Impact: My name is jonathan lewis and i'm a program coordinator with the homeless camp and urban impact. But we are the group responsible for administering the campsite reporting system. Today i'm going to provide an overview of one point of contact and i'll also showcase our report forms, and also our posting criteria for campsite clean ups. As a program we are committed to addressing the camps that pose the greatest risk to public health and safety. That's where we send our resources first and foremost. One point of contact is designed to better identify where those camps exist and we do this through our partnership with the community. One point of contact is a system that provides one single place to report issues of camping or garbage. It's intended to simplify if I the process of reporting. And there are three ways individuals can submit a report. Individuals need only pick one. Our group a team of three will receive anywhere from 800 to 1200 reports a week surrounding issues of homelessness. This is our campsite report form for the folks that are not familiar. Pdx reporter is the other form folks can access online. When reporting the most important piece of information that we need is really a location. Please note it is not necessary to submit multiple reports in one day. Generally speaking submitting a new report once or twice a week is appropriate and in fact helpful for us as we work with our partners to help address the issue. So what happens after you submit a campsite report, this very detailed flowchart can be found on our website for folks that are interested in reading the fine print. But typically our first responder is a group called clean start. Clean start is a homeless to work program through central city concern. They respond by going to the reported location and conducting an assessment on behalf of the city. If the report is just garbage and not an active camp they will pick up the garbage, send us back a report and move on to the next location. If they find it is an active campsite they will engage with the individuals that are there, they will pick up camper identified garbage, they'll pass out trash bags to assist folks in keeping their area clean and then they'll take pictures of the site and send us back an assessment as to what they have found. It's based off of criteria we have given them which i'll discuss in the next slide. We use that to triage the requests for clean up we get every week. This is a list of our primary posting criteria we use whenever making a determination to post a campsite. This list and our matrix has been vetted through several community work groups including the home for everyone safely off the streets. Our criteria includes conspicuous drug use, amount of trash, ada access restrictions, environmental impact, is it next to a school, a park, or private residence, are there reports of violence or crime. If a site meets a certain threshold then we will post it for clean up. In the next few slides I will showcase examples of sites that have been posted for clean up but before that I want to

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explain what a post actually means. A post refers to the written notification that we are required to give folks who are camping in any given area before we can remove any personal property that may be there. Previously our posting time frame was 24 hours to seven days. But with our new intergovernmental agreement with odot, the Oregon department of transportation, the new posting time frame throughout the city is now 48 hours to ten days. Once a site gets posted for clean up, outreach workers are notified so that they might have an opportunity to engage with folks who are present at the site before we come back to remove any personal property that may be left behind. I do want to be clear with folks that simply reporting a site does not mean the city will be going to immediately remove that camp. There is a process that we follow in order to protect all individuals involved. It is our intent to be as transparent as possible with everyone in the community both housed and unhoused so that folks know what we are doing and when. In January through June of 2019 15% of all sites assessed by Clean Site were posted for clean up. That means out of all of the sites Clean Site went to assess 15% met our criteria. During winter months when severe weather is declared by the county we do not move personal property and we do not ask people to move. We want folks to get to warmth and shelter and not have to worry about their personal belongings. This site is an example of one posted location. This area was posted as it met several criteria including but not limited to the amount of trash, there were ADA accessibility issues, evidence of conspicuous drug use in addition to some other factors. This site is an example of another location, this area again met several criteria including but not limited to some environmental concerns, burning of hazardous materials, there was a large amount of trash, also evidence of conspicuous drug use and the camp was also rather large. Here is a third and final example of a posted site that also met our criteria including but not limited to the amount of trash that was present, there were environmental concerns and this area, this particular area is posted no trespassing.

Wheeler: Please let him finish his presentation.

Lewis: My next slide actually does show areas of town where our posted criteria was not met. These are three different locations, each picture is a different spot. This is an example where posting criteria is not met but impact reduction services continue. By impact reduction servicing I mean primarily through the use of Clean Start we will continue to pick up trash, engage with the campers and offer resources. Personal property collected from clean ups is stored for up to 30 days in our storage facility. This is a picture from inside our storage warehouse, our warehouse is in inner southeast Portland. We now have expanded hours of operation so folks can come to reclaim their property free of charge. So to recap quickly folks can file a report using any one of the three methods identified, they can use our campsite report form, Clean Start gets dispatched to do an assessment, pick up garbage and engage with the folks that are there. We review the incident and report sent back from Clean Start. If the site does not meet criteria for posting we will continue to monitor the situation through the use of continued reports and we will focus on those impact reduction efforts working with partners as able. If the site meets the criteria for posting we will put it on our list to post with items already in the queue. Then at least 48 hours after the notice gets posted to folks informing them of a pending clean up city contracted vendors come back to remove whatever is left behind. Property is stored in our storage warehouse in southeast Portland and folks can come to reclaim their property within 30 days of its removal free of charge. We coordinate closely with service providers but we are also strategizing new ways of engaging with an extremely vulnerable and marginalized community. We have a group of specialized outreach workers who work at high impacted campsites. Once they have had an opportunity to engage and work with everyone present they notify us and we post the site for clean up. Here are some of the outcomes of their work. We have captured here data from eight sites they have worked at.

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They are wrapping up work at their ninth site now and we expect these figures to go up substantially from that work. Here are some of our performance measures

Wheeler: Could you go back and give us a few more sentences on that because I think the work of the outreach teams is critically important.

Lewis: Yeah, absolutely. I think this number particularly at the top the number of individuals engaged 443 people I think is absolutely amazing. These guys they go to areas we have identified as being high impact and they work for a temporary but unspecified amount of time. And in that time they are really working with folks to figure out what exactly they need. So for some it's classes, others it's a birth certificate. It could be any number of things. But really the idea is to help them navigate resources and to have better access to services

Wheeler: Sometimes I think you sell yourself short. And I'm enjoying the presentation but I have to note here you're helping people get ID's, you're helping people get into treatment, you're helping them get into housing and permanent supportive housing. You're helping people get into shelter if they want to get into shelter and you're helping, I certainly appreciate the fact that you're helping people get basic things like eyeglasses and connecting them to the Oregon health plan. This to me is important to highlight because it's part of the compassionate response.

Lewis: Yes, thank you mayor.

Hardesty: Thank you, mayor. And thank you. On that same note, I'm curious what is the percentage of clean ups that take place as compared to sweeps that actually move people, right. So if you're thinking about you do x number total of clean ups, how many of them actually end up displacing people who are houseless? Do you know, can you tell me what the percentage is or the real numbers are?

Lewis: Our group doesn't engage in sweeps. We do specifically, we call them campsite clean ups and when folks are given notice, to me a sweep means that folks are come in at any time and they're not given any notice or anything like that.

Hardesty: Let me rephrase my question. So there are cases where because of the trash garbage collection you send a team out to actually clean up and assist folks who are living there with cleaning up the site, is that accurate?

Lewis: I'm sorry, commissioner, could you repeat that.

Hardesty: That's okay. It is my belief that based on the calls that direct your team to go out that there are places that you go, you're being called because neighbors are complaining about the mess that has accumulated. Is that an accurate statement?

Lewis: Yeah, essentially folks are filing a report about an issue for any reason, it could be because there's a mess, it could simply be because people are there. And that's why we have clean start go to assess the site before we do anything after that.

Hardesty: The information I'm trying to get from you is out of all of the calls you get there's a percentage that are just about giving people the tools to keep their site clean, right?

There's a percentage that you're working with this navigation team to help them get ID's, and figure out how to troubleshoot wherever the issues are that can help them be more stable, right? But there's a percentage that there's actually a posting that happens that actually requires within 48 hours or ten days right which is being proposed now that this site is cleaned up. My question, my original question continues to be what's the percentage based on all of the clean ups, based on all of the interactions what are the percentages that are posted and required for people to be displaced from that location?

Lewis: We found that January through June 15% of all sites assessed ended up being posted. So just 15%.

Hardesty: Thank you, that is very helpful. I agree with the mayor that I think the work that's been done to actually get better at a more humane and just approach is really impressive. And I think that there's some people that work for the city that come in and pat

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themselves on the back about how great they're doing and I don't think they're that great. You guys come in and undersell yourself and I think that a lot of what you've learned through this process has been incorporated in this new rfp. Thank you for those answers.

Lewis: Thank you. Appreciate your patience. So this is our group's performance measures. Folks can also find this on our website in more detail for those that are interested. Our group is not designed to solve homelessness. We're about public space management. The public space management that serves to meet the needs of everyone within our community. We walk a fine line between balancing the needs of a very vulnerable population and managing our public spaces in such a way that is acceptable to all community members. Simply submitting a report to one point of contact does not equal removal but it does help to insure that someone will have eyes on the issue to help address what is happening there. Thank you for having me here. I'm going to turn it back over to lucas.

Wheeler: Thanks, johnny.

Hillier: Thanks, johnny, that was great. I've been working in the city to improve the way that this program operates since 2016. You'll have to pardon my voice i've been talking a lot over the last two weeks as you can imagine. Over the last four years through trial and error and extensive community outreach and engagement and many late nights we've developed a tiered intervention approach to meet both our objectives and further reduce the tramatization of those living outside on Portland's streets today. We have found this in rapid response bio cleaning and this price agreement now allows us to require training. An example of which we will require certification from a crisis prevention institute in nonviolent de-escalation. We will require ongoing trainings with more diverse individuals as well as cpr certification and how to properly administer naloxone. Other new components of this statement of work in this price agreement include severe weather duties which was talked about earlier which required teams to cease clean up and shift to assisting outreach teams and welfare checks, distributing blankets, hand warmers and to help with transportation to emergency warming shelters. Historically this organization has done that because we've asked them and now this is a contractual requirement. We have also articulated clear instructions about what property needs to be stored and have greatly improved the property retrieval process with the goal of making it easier for folks to get their stuff back. The contractor will also --

Hardesty: Sorry to interrupt you, I know you're on a roll there. This is an area I know a lot of community members are very, very concerned about when you are deciding what to store and what is not storable. What's the difference between this new contract and the previous contract as it relates how you collect, label, and store a community member's belongings in this process?

Hillier: Thank you for your question. The previous contract was based on language in the anderson settlement agreement and that language was very squishy and ambiguous. It stated that all items reasonably recognizable to be of utility and or apparent value needed to be stored. The way that this program operated when I first got here the goal was to store as little as possible. So after going out into the field I saw property being thrown away that was nicely packed under a tarp but because it was a wet the decision was that we weren't going to store it. So working with the city attorney's office and the Oregon law center we came up with a couple of different lists of things that under no circumstance can we ever throw away unless they are literally dripping in bio waste. There are certain things under no circumstances can we store like propane tanks or combustibles or drugs or things like that. Illegal, yeah. Those two lists are now part of this contract. We developed a system to make it more efficient in the field. So when a crew comes to a camp we have learned that the amount of time they're there doing the inventory can create safety concerns. So while crews are in the field we have a different colored bag system so the clear plastic bag is for

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anything that might be, could possibly be property and the black garbage bag is for stuff that is clearly garbage. That stuff gets scooped up, loaded into the truck and taken to our storage facility where there's three full-time employees who spend eight hours a day going through everything, everything that we put our hands on has a picture of it and gets loaded into a spread sheet. For sake of our due diligence to make sure that we're giving property back to the rightful owner, we ask folks to provide the location and the date of where their stuff was collected. Since we moved into the southeast Portland location we have about 4 to 6 property retrieval a day. Historically folks would have to get on the 12 bus and go almost all the way to tiger. We would have maybe 1 or 2 appointments scheduled per month and half of those people would actually show up. So it was clear to us that this wasn't working for anybody. And so with council's approval we were able to enter into a lease with a very big warehouse. We are now making it on us to make it as easy as possible for people to get their stuff back. The contract will need to make also a mental health official available as well as conduct ongoing training for staff. I believe rapid response has also agreed to obtain peer support certifications from the state of Oregon. We want to acknowledge the burden and hardship this process can have on unsheltered Portlanders. No contract can eliminate all of those hardships but this points us in a direction to greatly reduce those hardships and negative interactions.

Wheeler: Thank you, lucas. I appreciate it. I understand you have some invited testimony, is that correct? Does that complete your presentation?

Hillier: It does.

Wheeler: Thank you. Colleagues, questions? I just want to express my thanks to all of you and I believe that this contract has shown tremendous evolution and thoughtfulness relative to the original contract. And I want to thank you for that hard work. I'll entertain a motion

Hardesty: I move acceptance of the report

Eudaly: Second.

Fritz: I agree that this is necessary and i'm also appreciative of the work you've all done. This does address many of the concerns i've been hearing over the past several years. And we will be getting frequent updates on how this is going and of course we'll hear from our constituents if it doesn't go as well as we hoped. So I appreciate it, lucas. Not only your work over four years but also your recognition that it's going to continually improve the process and also the statistics we were given today showing only 15% were actually addressed so that that should set expectations from community members inside and out that there's still going to be a lot of people living outside that will need our help. Aye.

Hardesty: I also greatly appreciate the hard work. Lucas, I think you would agree that I kind of put you through the ringer last week because it was really important that I understood why this proposal at this time. I want to make sure that for the record the public knows that the plan is that you have to come back to the city council before there's any extension of this contract that we will have community conversations with front line community members to make sure that their feedback is incorporated into whatever the next steps are and that number three that we will have a city council work session with invited testimony before any additional contracting is done with this one contract. I want to also encourage the folks that are working on the street to actually really engage with those community members who are front line workers with houseless community members and help develop opportunities for them to be employed to be able to help with these clean ups as well. I think what you've done, lucas, has been pretty phenomenal and i'm very grateful to your heart and your compassion around this issue, right. It's rare that we get to wear our heart on our sleeve in the kind of work that we do because this kind of work you can't make anybody 100% happy. But I am confident that we have the right people leading this

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program with the right kind of heart. But I will also make sure that we're held to the commitments that we agree to in order to move this contract forward. So I vote aye.

Eudaly: I want to thank our community partners for bringing their concerns to our attention and for being patient with us as we work to improve and move this work forward. I've been working on homelessness issues since I first arrived in city hall three years ago. My office facilitated multiple meetings between community advocates, the mayor's office working together we made many improvements to the old contract including the process that prioritizes health and safety concerns for clean ups and deprioritizes low impact camps. We have put phone calls for resource providers to the people in camps scheduled for cleaning. Earlier notices to camps to help people prepare in the event they have to move and the end of the use of prison labor to clean the camps. I'm also very pleased that we struck the agreement with odot who had not adopted our new policies and we couldn't expect the public to distinguish between the city and odot and what they saw was people continuing to do the things that we said we weren't going to do anymore. So thank you for that. We now have a much more humane approach and a greatly minimized clean ups that require people to move as we learned today, just 15% of the sites. However the biggest challenge in my mind remains and that is that if we are requiring people to move I believe we have to somewhere for them to go. We have to offer an alternative site or a shelter bed to anyone being moved against their will. And I haven't given up on that although we haven't achieved that. My office through pbot recently promoted a new volunteer overnight hygiene center in the central east side and we're actively identifying safe sleeping spaces to give people living outside another option to avoid being moved against their will. I'll continue to push this work and to use all of the resources available to me. I want to thank lucas and his team, you guys have been amazing to work with and I was very open to our feedback and willing to collaborate and I deeply appreciate that. The program is constantly learning, growing, and improving. I also want to thank jaime from my office for her work on this item and just appreciate my colleagues for finding a way to move forward on this. I definitely support the short term contract and the promise that we are going to do deep community engagement to make it even better. I look forward to being an active partner and I vote aye.

Wheeler: I want to home in on something lucas said during his presentation. This is not our strategy to end homelessness. This is about public space remediation. And there are some sites that provide a very real threat to public health, to the environment, and to public safety. And what I hope people understand having heard the presentation is this is done with compassion, it's done by people who have the lived experience who understand the conditions of people who live on our streets, and it's done in a manner to connect people with whatever services they need to get off and stay off the streets and be successful. I believe it's, excuse me you're going to have to sit down or i'll have to ask you to leave. Excuse me, listen they are realistically given the number of sites, there will always be improvements we can make and should make. But I think you've struck an excellent balance here and I want to appreciate the hard work you've put into it and we will continue to work on our primary strategies which are compassionate and effective to address homelessness whether it's prevention. Last year through the joint office and a home for everyone 7,000 people received prevention services in this community. People who are at high risk of becoming homelessness. Last year over 6,000 people were moved either from the streets or from shelter into housing. 35,000 people in this community received other services whether it was prevention, shelter, access to services, or transition into housing. We're working with both our state and county partners on connecting people who need addiction treatment for mental health services. We work with nonprofit organizations to connect people with domestic violence survivorship services, and we work with our school districts, we work with the housing bureau on affordable housing. There are many things

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we are doing and I want to acknowledge something commissioner Fish would have mentioned if he were here today, we have addressed those who are chronically homeless, those who have the greatest health needs to help them get off the street. We've committed to 2,000 units of permanent support of housing in this community over ten years. But we're being far more aggressive in that. We've identified or created over 850 new units of permanent support of housing. So this is a part of a much larger strategy to address this humanitarian crisis on our streets and I want to thank you for the great work that you and your team are doing. We appreciate it. I vote aye. The report is accepted. Thank you.

Hillier: Thank you. And as a manager I would not be a good manager if I didn't thank my team, jonathan and lindsey who's on maternity leave right now. Thank you for the opportunity to talk about this.

Wheeler: I forgot to mention sarafi and the hard work she's done and all of you as well. And I want to thank my colleagues as well. Thank you.

Hillier: Thank you all.

Wheeler: Thank you. The next item Karla is item number 16 on the regular agenda.

Item 16.

Wheeler: So this is a second reading. We have -- excuse me, if you're going to keep interrupting i'm going to ask you to leave. This is a second reading of a nonemergency ordinance. We have already had a presentation and we have heard public testimony on this item. Is there any further discussion? Please call the roll.

Fritz: Aye. **Hardesty:** Nay. **Eudaly:** Aye.

Wheeler: Aye. The ordinance is adopted.

Robert Taylor: That is an ordinance for a franchise so it would require four votes.

Wheeler: I'm sorry I didn't mean to call the roll. I see no objections. Sorry about that robert, I got ahead of myself. Next item item number 17.

Item 17.

Wheeler: This contract amendment is needed because in addition to the pump station upgrade about a mile of forcemain sewer pipe needs to be upgraded. Here today to give a brief presentation are paul, engineering manager, and aaron from environmental services. Thank you for being here today.

Paul Suto, Bureau of Environmental Services Engineering Manager: Good afternoon, mayor and commissioners. I'm paul.

Wheeler: Slide it a little closer.

Suto: Is that better? I'm paul engineering manager and aaron will lead the presentation and i'll be here to help answer questions.

Aaron Lawler, Bureau of Environmental Services Engineer: Good afternoon, council. I'm aaron, engineer with environmental services in the treatment and pumping systems division. We're here to request an amendment with the contract with parametrix inc. This is the second time the project has been to council so you may remember some of the slides I will show. The first time was in march of 2018 to authorize the initial contract with parametrix. An amendment to the original contract is required based on information gained on the assessment of the site and enforcement. Just a footnote, this picture here we'll talk about it a little bit more but that is part of the forcemain we are going to repair. That is right after we had a break in the forcemain so it's an emergency repair. This project was initiated to provide standard upgrade to the lombard pump station. It was constructed in 1983. The electrical, mechanical equipment has reached the end of its useful design life and may require replacement. We're doing some additional upgrades to the site as well including installation of a standby power generator to increase reliability as well as structural and seismic upgrades to the existing infrastructure to meet current code requirements and increase resiliency. The initial project scope included two investigations during the predesign phase to get more information and better understand some of the

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project requirements. These were a geotechnical investigation into the soil conditions at the pump station as well as a condition assessment of the forcemain which is a pressurized sewage pipe that the pump station discharges into. The results of these assessments have indicated additional work that is required to successfully complete this product. These include ground improvements and full replacement of the forcemain. This amendment incorporates these additional tasks into the engineering design contract. Here I have some just a reference point for you of where lombard pump station is compared to the waste water treatment plant on columbia boulevard. It's located in north Portland near port of Portland terminals. A couple of aerial photos then on the ground photos of the existing pump station. As you can see it's very close to the slew. There's a railyard right there that often prevents access to the site. That's part of the reason why we're providing standby power. So this is the new portion of work that's part of the amendment. The results under investigation connected during the predesign has shown that this one mile long forcemain has begun to fail. In december of 2017 the forcemain actually had a localized failure. I showed that picture earlier. And it was recommended replacement. During this assessment we also determined the current forcemain is actually oversized so this replacement provides the opportunity to install a smaller forcemain and with that we'll basically be threading a new pipe through the existing pipe. So a little bit of project background, the project was advertised for competitive selection in 2017. The project was awarded for parametrix based off of qualifications and we came to a contract fee that was approved by council of \$691,373.

Hardesty: What did you tell the council when you brought that original contract for approval? What was the scope of work that we were contracting for?

Lawler: So it was for design services, engineering services for the predesign design construction phases of the pump station upgrade and it included the geotechnical investigations and the condition assessment of the forcemain.

Hardesty: And what was your level of confidence in your assessment when you did that initial proposal?

Lawler: Yeah, I need to talk about this again a little bit later. But the contract fee was negotiated in firm but the overall scope of the construction and the project itself was low. And that was presented to council. I actually believe you asked me why was it low and I explained that's kind of a description that council requires based off of the unknowns associated with the project which was soil conditions and the forcemain condition.

Hardesty: You can understand when I see 72.3% increase in a proposal that raises a lot of warnings signs, right.

Lawler: Absolutely.

Hardesty: Is that normal for you to increase a proposal by 72.3%?

Lawler: I would say it's not normal, no. I think about getting a condition assessment program going, but a lot of the assets that we have in the city we have built and we haven't checked back on until it becomes time to do a major upgrade. So when we lay eyes on them we learn a lot about that.

Hardesty: Then my last question because I know you have some more formal. It says that 35.72% of this contract will go to disadvantaged minority women and emerging small businesses and I need that broken out and desell -- desegregated what's going to minority firms, what's going to women.

Lawler: Would you like that now or when I get to that slide?

Hardesty: Whatever is convenient to you.

Lawler: Okay I have a slide. Jumping back to the project status we are still currently in predesign. We've done nearly 30% design of the pump station. All work completed to date has been in the original scope of the project. So none of the work has been out of scope. But we were aware that these assessments could throw us in a little bit of a wrench. So

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this is kind of a hard stop point to come back and explain what we've found and ask for this amendment to do the work that is not currently in scope. This is the forcemain. That is a picture of the repair after it was completed but you can see it was significantly damaged during that break. So these findings are a significant amount of work and they could not have been incorporated into the existing negotiated contract. We began negotiating an amendment and that is why we are here today. And it will recover replacement of the existing forcemain and soil improvements. Commissioner Hardesty, this is where I would address those questions. This is an overall breakdown of the contract, the amendment, and the total project cost that would be through construction completion. Again this level of confidence of the estimate is low. That is based off of city of Portland's project estimate because we're in pre-design.

Hardesty: Even now coming back with this increase your confidence is low?

Lawler: Yes, based off of where we are in the project. Again I would say we are more certain now than we were when we came the first time because we do have more information. But to move up to a moderate or a high you have to be further along in the overall design based off of the index.

Suto: Hopefully to clarify something, I think the confidence is pretty high in the contract amendment that we're adding that it's low in that 11.194 which the contract amendment is a portion of that. As Aaron was I think attempting to explain we're only at that early design stage. So as we progress through design we get more confident because we actually have something tangible to compare. Right now we're using other project ballpark numbers to estimate and it doesn't give us a lot of confidence in our project estimating.

Lawler: What would be refined as we move forward is the construction contract and the construction cost estimate which is the majority of that figure that you see there. We'll have more detailed design to do better quality take offs. As you see here we have disadvantaged minority owned, women owned and emerging small business participation of 35.7%. I did do a breakdown however it's a little bit difficult because many of the firms that are in this program, they subscribe to a number of those different titles within the program. So I was able to say that 66% of that participation is associated with disadvantaged and minority owned businesses. 8% is attributed to emerging small businesses or women owned businesses. And 26% is kind of what I ground as they subscribe to all of the dmwesb titles.

Hardesty: They're disadvantaged, women's business, minority, as well as an emerging small business is what you're saying?

Lawler: Yes.

Wheeler: To be clear that's 26% of the 35%.

Lawler: Yes of the 35.

Wheeler: And I would love to see the dollar breakdowns

Hardesty: The way we calculate folks sometimes is not as accurate as I'd like to see it.

Lawler: Absolutely we can provide that. Estimated project completion is June of 2023. So that pretty much includes our presentation. Just to summarize we're here for the authorization to execute an amendment with Parametrix or engineering services in the amount of \$691,373.92.

Wheeler: Great. Thank you, any further questions? Karla is there any public testimony on this item?

Moore-Love: Not sure if they're still here. Lightning and Maggie had signed up.

Wheeler: I don't see them. This moves to second reading. Thank you. Next item is item number 18.

Item 18.

Wheeler: Colleagues as you know environmental services manages both our storm water and our sewer infrastructure. That includes about 2,500 miles of sewer pipe that transports

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waste water to the city's waste water treatment plant on columbia boulevard. Most of those pipes rely on gravity. But about 56 miles of the pipes are forcemain so we just discussed one. They are pressurized pipes that move waste water and stormwater uphill towards the treatment plant. This ordinance would authorize environmental services to assess and analyze the condition and liability of the city's forcemains. Jeremiah hess and marley nose will tell us a little bit more about this. Thank you for being here, we appreciate it. Good afternoon now.

Jeremiah Hess, Bureau off Environmental Services: Good afternoon. I'm jeremiah to my left is molly. I'd like to thank paul for setting us up.

Wheeler: He did, absolutely.

Hess: As the mayor mentioned we have about 56 miles of forcemains in the city. They're used to convey waste water from pump stations at lower elevations to higher elevations. The majority of them are 60 to 80 years old and have never been formally assessed for their condition. A lot of these have a high consequence of failure such as crossing highways, freeways, railroads, environmental areas, rivers and that failure could also result in a basement back up. I mentioned that no formal assessment of the condition of the system has been performed that's what this contract is going to authorize.

Wheeler: What's in the photograph, what is that?

Hess: That is the picture of a tool being inserted into a force main at a pump station.

Wheeler: To do what, what does it do?

Hess: It's going to inspect the pipe for metal thickness measurements, it uses electromagnetics.

Wheeler: There's nodes on the end of that?

Hess: There's sensors that use electromagnetics to scan the pipe wall and determine me that will thickness. It's looking for obviously wall loss due to corrosion which would be premature failure.

Wheeler: Thank you.

Hess: There's a lot of challenging logistics associated with these assessments such as operational constraints. Most of these pipes can't be easily shutdown for long periods of time because waste water keeps flowing and we have to maintain service. For example there's currently a pump station that's been out of service for approximately three months due to force main failure. It requires a lot of maintenance staff to maintain that system and cost encrewed there. Jacobs and their team of sub consultants possess the sophisticated tools and associate data analysis capabilities that are typically only offered by select service providers who specialize in water and waste water infrastructure asset management. This project meets the bureau's goals of protecting public health safety and the environment. What we're proposing to do is create a risk based framework for the project that we will be able to utilize within the bureau in the future after the project is completed. So the approach is a tiered condition assessment, basically this is a pretty common approach in the industry and such that you start in what we call a desktop analysis and basically gathering the required information. The desktop analysis will tell us what data we need to collect and how much, what tools and methods we can use to collect the data. What software and data systems we need to have in place to store and access and utilize the data best to our advantages. And what sort of analysis we need to use. Based on that internal inspections looking at the pipe, nondestructive examination technologies then doing internal inspections which is what we showed in the previous slide and what's being shown here, which again is a little bit more challenging because of some of those constraints that I previously mentioned. So from that data information we're going to then forecast the remaining useful life of these assets and develop and form maintenance repair and replacement strategies and then establish the future funding

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requirements based on those proposed strategies. That will include capital replacements likely and o&m but the capital hopefully is sometime now.

Wheeler: What is our dedicated city employee doing in the top photograph?

Hess: Yeah, so what you see in the bottom photograph is what's caused a smart ball. And that's a tool that is a highly sensitive acoustic sensor. What's not shown is it's usually encased in a foam ball that makes it blunt so it floats through the pipeline so that it's buoyant and not rolling along the bottom of the pipeline. And it uses acoustics to gather leak and gas pocket information throughout the pipe. So that's what she is doing there. She is inserting the smart ball into a waste water pipe at a pump station.

Wheeler: Well first of all, I don't know her but she's a great person, a great human being for being willing to do that. That looks like very difficult work.

Hess: Absolutely.

Wheeler: That's excellent, thank you.

Hess: So the schedule is four years for the project that's primarily because a lot of this work has to be done off peak seasons and when the flows are lowest so there's constraints with the weather, when we can actually do the work. And we have to have time to plan for those kind of conditions as well in terms of the inspection requirements. The budget is \$4.5 million approximately as we mentioned for the contract. Of that approximately \$1.6 million is dedicated to sub contracted developing minority women and emerging small business firms which is approximately 35% of the contract. I don't have the specific breakdown

Fritz: It's on page 28 of the contract.

Hess: Correct.

Fritz: That's got the breakdown.

Hess: Okay, thanks. I don't have that on me. But we can get that to you.

Fritz: We've got it.

Hess: Oh great. That's about it. The funds are available in the sewer system operating fund and at this time no additional resources or full-time employees are required to do this work.

Wheeler: Very good. Colleagues, any further questions?

Hardesty: Thank you, mayor. This may not be a question for you, as I think about these capital projects that we start like you're about to start this new capital project. You didn't say what your confidence level was in the dollar amount or whether or not you would be coming back after some initiate assessment and wanting or needing more money to complete the task. So I guess my first question is, is that it? Is it really just going to cost \$4.5 million or is that just the beginning of what it's going to cost?

Hess: At this time our confidence level is high in that estimate. Because we're just here to assess. We're not here to build or fix anything. So the scope that we have identified has been well defined.

Hardesty: Clearly we have a lot of infrastructure needs in the city of Portland. And for me personally I just don't know how all of these individual infrastructure projects actually fit into a big picture of what the city is doing for infrastructure improvements. It feels very piecemeal and it feels like various bureaus have various projects where they're doing infrastructure improvements. I'm just concerned we continue to say okay to infrastructure improvement projects without having a big picture look at where all of the infrastructure improvements we need and then doing some kind of prioritizing about what we need to do first. There's no question that we need to do this, but just as an overall statement i'm just really concerned that we do this very piecemeal.

Fritz: That's different for the utilities, they have an improvement plan we are able to budget for and prioritize.

Hardesty: I appreciate that. They've got their own budget.

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Fritz: So our interaction with that is when we approve the rates as part of the budget.

Eudaly: I can't speak for all of the budgets but I know for water, sewer, and pbob those dollars can't be moved across bureaus. They're coming from specific sources like utility rates, payers, and highway funds. So I know we ramped up collaboration with b.e.s. In particular between b.e.s. And pbob to make sure that we're taking advantage of any kind of cost savings or time savings to minimize disruption to the public. And we're not tearing up roads. Thanks.

Wheeler: Great, thank you. Any further questions? Any public testimony on this item?

Moore-Love: No one else signed up.

Wheeler: Great presentation. We appreciate it very much. This is a first reading of a nonemergency ordinance it moves to second reading. Thank you. Our next item is item number 19 and this is a second reading.

Item 19.

Wheeler: Second reading, please call the roll.

Fritz: Aye. **Hardesty:** Aye. **Eudaly:** Aye.

Wheeler: Aye. Item number 19-1.

Item 19-1.

Wheeler: Of course i'm talking about commissioner nick Fish's position. Thank you for agreeing to hear this as a 4-fifths item. It was very important to commissioner Fish that he structure in time his resignation so as not to influence in any way the process or outcome of the election. Nick believed the office he held was sacred. And he wanted the best and the brightest in our community to vigorously compete for the honor of succeeding him on this council. The charter sets parameters for filling of a vacancy and this item is prepared by our city attorney in consultation with city, county, and state election staff. We have tracy reed and deborah on hand to answer any questions we may have. That's your cue to come on up.

Eudaly: I don't see deborah.

Wheeler: There she is. Welcome. Commissioner eudaly.

Eudaly: My single question is I understand that the election will be held in may on the regular ballot. Will the filing deadline for candidates be the same which is march 10th?

Deborah Scroggin, City Elections Officer: It is the same. Everything else should be the exact same.

Wheeler: You have to qualify yourself for the record.

Scroggin: Deborah, city elections officer. The filing dates will all be the same except it will be a is shorter filing period which I expect to begin on monday.

Fritz: I want to clarify that will be available that will have different timelines than the current filing and those will be posted on the website today so that the rules are the same but the calendar is different.

Scroggin: Thank you.

Wheeler: Very good. Commissioner hardesty, question or comment?

Hardesty: I wanted to put on the record about the charter just to say that there are people that think we should be having the runoff if there's a runoff in july based on the charter and I understand that federal law actually lays out a the appropriate process for this kind of an election, is that an accurate statement?

Scroggin: There are a number of factors that go into that. There are federal law requirements, state law requirements, the charter deadlines have been in the charter for a long period of time. We looked back over the last I think this is the fourth time since starting with the former commissioner who's now a united states congressman and the council in each of those instances has extended, found it reasonably necessary to extend the time periods. One of the things that we're sort of mentally putting on our to do list as

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the charter review commission comes up is to look at modifying those charter dates because they're really not feasible.

Wheeler: Very good and I understand overseas ballots have something to do with the date.

Scroggin: Military and overseas ballots have to be mailed out 45 days prior to the election so scheduling an election in July is not feasible.

Wheeler: I'm not clear whether or not we take public testimony on a 4-fifths item. Is there anybody who would like to provide testimony on this item?

Moore-Love: I don't know if they're still here. Diana and Edith Gillis.

Diana Gutman: Good afternoon, my name is Diana Goodman. I signed up and honestly I'm in support of this. I don't know what to say. I encourage the public to nominate the person that they think would fill this seat best because this is a seat that is for public service and Commissioner Fish was a wonderful public servant. He helped so many people. He cared about the people of Portland and that's something that anyone who takes this seat should be aware of. He worked with the indigenous communities to help understand how we took care of our land and I had the privilege of being at the celebration over the summer and it was a very, very special event. And I can't even begin to express how sad of a day this is and I learned so much from Commissioner Fish. And we as a city are going to learn in this process and take what he has taught us and I do believe that whoever comes forward will be the right person. So I just, my heart goes out to his family, to everyone here at City Hall, and that's all I have to say.

Wheeler: Thank you, Diana. That was a beautiful tribute. Thank you. It's a great way to end our morning session. Karla, please call the roll.

Fritz: To be clear again the opening elections program will be available for candidates for this seat. There are multiple rules to that program and so before candidates do anything I encourage them to contact Susan or Daniel and ask for a training so that you make sure that you do everything right because the election cycle for this seat was started on January 2nd and goes through August 11th and as I said the timeline will be posted on the open accounts, I'm getting beeped. The opening accounts election rules website which is linked on the front page. It's fitting that we're approaching the end of this meeting as we started at the beginning, it's a sad vote. Aye.

Hardesty: Aye. **Eudaly:** Aye.

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

Council recessed at 1:04 p.m.

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.**

January 8, 2020 2:00 p.m.

Wheeler: We'll hear from legal council on the rules of order and decorum.

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

Wheeler: Thank you. Read the first item, please, number 20 time certain.

Item 20.

Wheeler: I'm pleased to introduce the next item which comes from the Portland children's levy asking us to approve a 5.1 million three year agreement with the community child care initiative. The child care initiative provides child care subsidies for working families as well as support for culturally specific child care networks including somali african-american, latinx, spanish and slavic. If approved the funding will continue to support more than 300 children with annual access to affordable high quality child care. The service is vitally important to many parents and families in our community. Here to talk more is levy director meg mcelory. Along with sharing more insight into the value she will also introduce child care resource and referral staff who can speak firsthand about the program. Good afternoon, meg.

Meg McElroy, Portland Children's Levy: Good afternoon. Thank you, mayor. Madame president, commissioners, I want to extend my heartfelt sympathies for the heaviness that is being held in your hearts. That empty chair is quite a presence today, and our hearts from the levy go out to all of you, your staff and certainly commissioner Fish's staff.

Wheeler: Thanks, meg.

McElroy: I'm going to review briefly the community child care initiative, what it does and its progress over the last four years, then as the mayor noted i'm going to introduce colleagues from referral at mount hood community college who implement it on behalf of the levy. The purpose is to support affordable childcare and high quality child care in our

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community, which is a priority in levy ballot language. It really works on this by two things. It provides child care subsidies to low income working families and provides direct support to five child care networks that are culturally specific serving their specific communities. I'm going to talk mostly about the subsidy initiative because it's the largest part of what this does, then talk about the networks and introduce the folks who make it all happen. As I said, the child care subsidy serves working families whose incomes are 200% of the federal poverty level or less and it assures families pay no more than 10% of their income for child care. [audio not understandable] I believe it's around \$25,000 a year for a family of four.

Hardesty: If they made 50,000 a year or less?

McElroy: With a family of four. The federal poverty level is calibrated toward the number of individuals in the household and the income that comes into the household. I don't have all the figures off the top of my head, but I keep the family of four figure in mind. The median in Portland is around \$80,000 so these are families making significantly less than the median in our city. The child care subsidy initiative augments the state's employment related daycare subsidy calibrated to pay only 75% of the market rate of child care so levy funding is helping with the difference between what their actual cost is and paying no more than 10% of their income in addition to what they receive in the state benefit. It only helps families with income up to 185% of the -- helping families additionally between 186 and 200% of federal poverty level. Providers who serve children who receive these benefits are all licensed and participating in the state's spark quality effort, quality rating and improvement system that providers are using to enhance their own quality based on their own goals. Levy funds also supplement state funding to provide coaching and support to five culturally specific child care networks that are family child care, small businesses look to improve their quality and enhance business practices and helped launch a somali culturally specific group. It's administered at child care and referral at Multnomah county. It first launched in 2007 and funded it for five years. We had to cease funding the initiative when levy revenues took a decline in the last recession. At the time that it was funded profession external evaluation showed it increased the quality and stability of care for families that participated and providers invested the profits back in their own quality goals. The levy relaunched in 2015 when revenues began to climb again. There was a \$2 million commitment over four years to serve at least 100 children a year. In 2017 as levy revenues continued to outpace projection the council extended the funding through this coming june of 2020 added \$1 million a year and increased the commitment to serving 300 families, 300 children a year and providing that supplemental funding support to the child care networks including launching a new somali network. Current funding level that we're asking council to approve from the allocation committee is \$1.6 million a year that supports over 300 children and families with child care subsidies and the provider networks. A little more background, the act that governs the Portland children's levy allows up to 10% to be spend on noncompetitive grants. This is one of those special initiatives. It crosses multiple program areas of the children's levy. It serves children six months to age 12 so both an early childhood and after school endeavor in terms of how levy monies are prioritized and obligated. It offers training and technical assistance to the providers involved and it advances system improvement by making more child care providers available in our community. It is also particularly helpful for child care providers who are essentially small businesses in our community who would have a lot of barriers to accessing and competing for the typical competitive grants that are issued through the levy so by contracting directly with child care referral which holds state funding for providing training and technical assistance to local child care providers and is quite versed in child care regulations levy money going directly through this channel allows more providers to access levy resources. It addresses child care initiative addresses one of the chief priorities that came out of the

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community engagement process that the levy engaged in over the past nine months up to nine month long community engagement process that we contracted with one of the primary needs in that process was affordable quality child care that parents can choose from and know that their children will be cared for well. Then finally the reason that the child care initiative calibrates its subsidy to helping families pay no more than 8 to 10% is because national research suggests anything above that is cost burdening to a family. Disproportionately families of color and low income families experience that cost burden and are often paying more than 20% of their income toward child care. That was an outline of what the community child care initiative is. I'm going to review data on progress. These come from monitoring reports that we get from child care that they submit to the early learning division department of ed and provider survey that we issue. Over the past four years the community child care initiative has served 30% more children than it projected to last year it served over 365 children. The majority of those children identified as child of color so the graph shows you among all of the children served for the past four years on average almost 22% identified as latino, 15% african-american, 12% multi racial, we served very few asian or african immigrant identifying children. About 2.1% identified as american native, 30% white and this is an area we would like to work to improve data collection to make sure we understand that we're reaching our priority populations. Nearly 20% of the children served were from homes where the primary language is other than english and over 50% reside in east Portland. As I noted earlier, the initiative serves children up to age 12 but about 43% were in the preschool age group of three to five. There were 55 child care providers who participated in serving subserving children through the subsidy portion of the program. They comprise about 5% of all licensed providers in Multnomah county but they are about 18% of the licensed providers involved with the state's child care quality effort, arc. 11 of the 55 have graduated from and or are currently involved with the five provider networks that I mentioned so they are small family child care providers in culturally specific setting getting coaching and support from somebody who shares their cultural background. 25% have a star rating in the spark system and on average about 30% of the children in the child care subsidy effort have received care from a star rated provider. This map shows you the 55 providers where they are located throughout the city so as you can see, there's a high concentration in north Portland and in east Portland. A couple outside of city bounds but important criteria for us is the child receiving the benefit is a resident of the city of Portland. This table helps paint a picture of the key financial pieces that we try to understand about families and providers who participate in the program. As I noted earlier families are trying to -- we're trying to make sure families pay no more than 10% of their income and if eligible receive the state subsidy before they can draw down on this city funded subsidy. The state funded subsidy provides only 75% of the market rate of child care so it's leaving families with a big hole to fill. The effort of this is to help fill that hole. Again, the state subsidy only serves families whose incomes are up to 185% of the federal poverty level so this is trying to help families in that next step of low income between 186 and 200% where few benefits are often available. On average the median monthly income for a family receiving the cci subsidy benefit is around \$2100 a month. Cost of their child care monthly is around \$1100 a month. The payment on average that they are receiving from the state of Oregon is around \$632 a month and the contribution that the levy provides is around 373 a month. As I noted earlier we did two surveys, one with families participating in the initiative and one with providers. We used questions used in the previous external evaluation, adapted them to make it more quick and easy online survey. Of the families we sent the survey to who had a child participating at least six months they indicated it helped their finances, increased their access to high quality care and they had over all tremendous satisfaction with their experience. There's a 20-page report that accompanied the documents and preparation for

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your decision and it goes into further detail about the survey as well as comments families shared with us. I have two here but i'm not going to read them so we can hear from staff here with the project. Similarly, providers participating also received an online survey that was nine questions. 58% responded. They also indicated high satisfaction with their business income during their time participating in cci. They reported that they were using income through that program to reinvest in their own quality and their businesses. They said it substantially increased the number of children they are serving who they are considered low income and are receiving the state subsidy benefit and they also reported over all high satisfaction with their experience of participating in the program. The child care provider networks that I mentioned earlier are a parallel effort. Within the initiative there's the subsidy piece I just reviewed then there's the child care networks. These are two-year cohorts of 12 to 15 culturally specific child care providers who receive a coach. They have monthly meetings, they attend training, they create specific development goals and quality improvement goals and they receive support to make those accomplishments. Four of those started with stat funding in 2014 and levy funding allowed child care resource and referral to add a network for child care providers. Mona farrell is here to talk with you about her experience and christine waters. for those four networks that were originally launched in 2014, 57 of the 58 are involved with the state child care quality effort and eight have achieved star rating. The newest somali network as of loft fall had 167 providers who completed 899 hours of training. Five had achieved licensure and were receiving support from their coach to do so. Their coach was present during licensing visits helping them complete and navigate paperwork, understanding the regulations and building relationships with the licensing staff. Ten of those somali providers also attended statewide early childhood conference for the first time and they were offered workshops for them specifically in their language. With that i'm going to conclude. The child care initiative is reaching the priority populations that we're trying to reach in our community. It has had high success and high satisfaction with the families and providers but we have areas where we're trying to do better by the demographic data collection and some of the feedback both from providers and families was about increasing specific populations' access including children with disabilities. So with that I would like to introduce christine waters and bev johnson so they can talk with you about their experience.

Wheeler: Thanks, meg. Good afternoon. Welcome. Thanks for being here.

Christine Waters, Multnomah County Childcare Resource Director: I'm christine waters, director at child care resource and referral of Multnomah county. I wanted to reiterate a couple things meg said and talk about something not on the report and talk about how it's been the levy funding has been effective for our program over all. Number one, the levy funding has created positive influences beyond things that are in the report such as it's the first program that's a holistic look at child care, that i'm aware of with public funds that looked at both the provider side, business side as well as the family need. So providing the full cost of child care for families also influences the child care business. Child care businesses are able to stay in business. They are able to keep quality staff, low turnover and in an effort to partner with families that helps sustain long term child care. It's the first effort that giving the full rate of care to providers has encouraged participation so a lot of programs are not able to participate or choose not to based on the heavy burden of paperwork, et cetera. Cci providing that gap in funding opens up more opportunity for families to choose high quality care. Moving up to the 200% of poverty has helped fill that gap as meg said between 185 -- to my knowledge there's not many programs that offer resources for that income level. Also in paying the difference between cost of care and the co-pay often families have really high copays and are working with the program with very low incomes so they are having to piece together options. Maybe they are going to grandma's for a couple of hours and getting picked up and going over here. Young

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children need relationships so when they are able to sustain long term partnerships with child care the child's overall experience is much better, the family doesn't have to panic about did the child get where they need to be, can they get to work on time. All those things are in the report but are worth repeating. I think the other piece that's really important for resource and referral is levy funding as it's helping keep our networks going it's helped set up a subsidy system that looked at things outside of the box. They have been able to help leverage funds specifically baby promise which is a state funded infant toddler contracted slot program. We were awarded 74 slots for Multnomah county with state funding. I think a lot of the reason we brought that in was we had this experience running the subsidy program already. We had experience contracting with providers. We had experience in partnerships and reps with dhs. The cci program the way it was developed is now informing how baby promise may roll out, informing how we make contracts and et cetera. Over all cci has really brought parent voice to the center of all our programming including leveraged funds. It's deepened our relationship with both culturally specific communities and the state agencies such as licensing and dhs. I want you to hear from moon and deb so i'm going to let them talk a little bit more. I'll turn it over now.

Uma, Somali Network Group: I'm uma. I work with the somali network group. I began working with them 2018, may. We meet every month once. We do a training. The training is basic different topic every month and the topic, once I do the training we talk about what is culturally appropriate and what is the rule in this country and know what is culture appropriate. We discuss and this is culturally and we shouldn't do this, this is the rule we should follow. Also I do a home visit with the somali network groups every month each of us go twice to the home. I watch what they do and what is culturally and what the rules and they have to follow so they won't get in trouble with the licensing. I train them this is not to do or this is the right thing to do. I also help them navigate what they need in the system like most don't read or write and whether it's english or somali, so they have a letter help them read this is what it says and this is what is the rule, what you have to do. Before I came there's a couple of them, they have been doing child care for a while, but somehow they didn't know how to get the license and what steps they have to do and what exactly they need to do. For example one of the providers want to get her license for a while but she couldn't get it whether there's a couple like you have to test the water and you have to do couple class and she didn't -- that's what I help her navigate. I helped a lot of them help them get their license whether the training they need, I help them with that. And another thing they did, child resource and referral for the first time we did the conference and most of the providers was impressed with the conference and it was their first time and they were just amazed by the conference and the level. When I invited the conference they thought it was only us like the somali network, they met a lot of different people. They see the keynote speaker, this is a professional job, and they were so happy with that conference for their first time. The whole community started talking about it. They knew now they feel good about their job and what they are doing. Another one was -- attending the conference and just having somebody they know go in their home visit and helping them and everything is also -- you have to trust the person to come to your house and even navigating the licensing people and I go home with them when the licensing person doing the home visit for them I also go with them and just navigate and everything and they just now -- everything they need, the provider needs they just call me and I just help them with everything. I think that's it.

Wheeler: Thanks a lot. Appreciate it. Good afternoon.

Deb Johnson, Department Health Services: Gives them the application and also recruit programs. We partner with dhs, 211, and other early childhood programs to get referrals to our program. I had to look at it this way for the reality of cost of child care for me so for a parent making \$4,000 a month with two young children at a certified family center that

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charges just what dhs reimburses that would be \$1,000 for preschooler and \$1140 for a toddler. If the rent is 1200 that leaves them with \$660 for the rest of the month for everything else. So she doesn't qualify for anything. Food stamps or any other subsidies. The reality for our families is, and I had a mom call this week that is over income, is going to have to figure out where to go for child care. We have a lot of families making about this much at \$15 an hour. That's \$2600 a month for their gross monthly income. Co-pay would be \$581. With our help their co-pay is reduced to 260. At 12.50 an hour we have a large number of families at that rate their co-pay would be 387 through dhc, with cci help it's 208. Parents tell me all the time how much just a little bit helps. A dad called yesterday, we're only going to be able to help him with \$27 and he said I appreciate it. Don't think I don't appreciate. That will make a difference to me. One mom said \$40 is a tank of gas for me and that really makes a difference. Families are faced with not being able to accept a job when they find out their co-pay because they don't have an extra \$600 for child care the first time out with a job so we can help with. That parents call talking about the difference between their rent has gone up, child care has gone up and they have to choose between having a job or feeding their kids or paying the rent. It's really hard choices. Sometimes people get a small raise and that puts them over the income limits for any kind of help, but their raise does not equal the amount of the loss of benefits, so again, they are out of luck. Sometimes we can help if they don't qualify for erdc because they got a raise that the 200% level. Early on when we started this program one of the child care providers said a couple of the children were in desperate need of winter coats. The mom got help with cci, and that freed up some money and the next month her kids came to school wearing warm winter coats. One mom had been in -- I don't know, I can't remember if it was her family taking care of the kids or what the situation was but she was able to go to a center and said my child is going to learn now. She felt so good about where she was able to go that she would not have been able to afford otherwise. We had another mom who had been in recovery and her child was in foster care. She got a job, her co-pay was too high. She told me I want to pay for child care I just can't afford this co-pay. Between dhc, erdc, the child care center and cci, we found a spot for her child. Her co-pay was something she could afford and the child was placed back in her care. It opens possibilities for options they may not have had otherwise. We're able to add new programs so people can stay in their community. We don't want people to have to move just to get the help. So we have added new programs through the entire four or five years we have been doing this which has been really nice for people to stay where they are comfortable and where their kids already have relationships with somebody. People are saying it's collecting their full rate. Otherwise they are forgiving it or scholarshiping it and paying for the care themselves because they are not able to collect their full rate. Child care people are warm, nurturing people, and the business suffers because of that sometimes. We also can if erdc will allow a number of absences during the course of the month if a child doesn't make the number of hours for full-time then the program can only collect the part-time rate from erdc, so we are able to give them their full-time raise so they can collect their full fee. We're out of time so --

Wheeler: That's all very helpful. Does anyone have any questions? Great. Thank you. Meg, are you going? thanks for your perspectives. Do we have any testimony on this item?

Moore-Love: Two people signed up. Charles "bridge crane" Johnson and Edith Gilliss.

Wheeler: Welcome.

Edith Gillis: Hello. I'm Edith Gillis. Seems the more I come here the more I'm sharing more of my personal life. So I'm speaking as someone who is one of the founders of the state of Oregon developing child care standards, and found member of the metro child care resource referral network, an organization that provides training and professionalism of childhood and early childhood development specialist. I direct a small school in Parkrose

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because there was nothing that would meet the needs of my son and children like them. I'm very grateful that the children's levy is from one of the few programs in which voters got what they were promised. There's oversight and good follow-through and good results. I'm delighted at some of the progress the spark quality. Nothing is ever as good as soon and as much as I want. Both as a parent, as a child and a foster parent as a child care provider and early childhood educator. As an advocate of children who have been abused. For example, we're talking about 10% is the co-pay for child care. When my family of four had a gross family income of under \$8,000 a year, we did not have \$5 a month for sanitary napkins, child care or anything else. People on ssi, who have been qualified by the federal government as being disabled and very poor, it's a felony if they have over \$2,000 of assets or liquid assets. If you can sell your underwear, your books, your kitchen wear and it totals up to 2,000 or more you're kicked off. A lot of us with disabilities cannot have our children have the care that they need to have, we cannot afford to work yet you need child care to get the therapy, the transportation, the training, the doctors. I'm a victim of ongoing violent crimes and that requires a lot more support and fewer options and ways to transport. While i'm delighted and want you to support them and keep funding this I also want us to be keenly aware it's inadequate for a lot of families. As a foster care parent I always paid a whole lot more for the children's needs than I was paid but child care providers not being paid enough, they are not being educated or trained or supported enough. Parents are not getting enough education and we can't just prepare children for schools. You have to have better schools for them.

Wheeler: Thanks. Good afternoon.

Charles Bridgecrane Johnson: Actually micro entrepreneurship. I'm not the biggest fan but it's good to know that a diverse spectrum of women including somali immigrants is possibly moving towards living wage jobs as child care providers because of what we're doing with the money from the Portland children's levy. So that's great. Definitely I look forward to you unanimously passing this. One thing to bear in mind is the challenges facing these parents when we heard about a foster care success story where the child went back into the parent's care and the parent was able to have child care we also had to go through at least three acronyms to make that success happen but at least it was a success story. I hope that the children's levy created a great 20-page supplemental information that's attached electronically to the agenda. I wish that could always happen here. I encourage anyone watching or listening to follow the link, find out what these up to \$80 million are doing. One thing that's unfortunate is we have to use this funding mechanism when we have employers like airbnb and apple corporation which can consistently afford to hire at least one police officer to park their car next to their store that tells us that we're really not getting successful corporations to pull enough of their own weight to fund child care. I can't say apple doesn't fund child care, but the point is it shouldn't just be the children's levy. This city and state need to work towards a better, progressive taxation to fund these. So unanimously vote yes and keep your eye on building a better, more responsive system. Thank you.

Wheeler: Thanks for be here both of you. Does that complete public testimony?

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

Wheeler: Any further questions or thoughts? I just want to thank meg and the entire team and whoever provided testimony today. I think it's great to know that there is an opportunity in this community to support working families, to provide safe and nurturing child care and i'm also pleased to hear there's a concerted effort to reach out to culturally specific organizations to help reach those families as well. So this is great. This is a first reading of a nonemergency ordinance. It moves to second reading. Thank you. Next item. Please read item 21.

Item 21.

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Wheeler: For those of you that may not know, the urban tour group is a nonprofit organization of volunteers that provides free tours of downtown Portland to the elementary school students in our community and have been doing that since 1970. These educational walking tours provide information on Portland's history, our culture, our architecture, and our resources. I would like to take a moment to thank the urban tour group and its group of many volunteers for taking time to educate our youth about our fantastic city. This is a great opportunity to teach our youth to care about our city and to then grow up and be active and engaged people in our community. With us today is the president of the urban tour group, sandy page, and president-elect of the urban tour group, karen pender. Thank you both for being here today.

Sandy Page, Urban Tour Group President: Thank you. Good afternoon, mayor wheeler, city council members. I'm sandy page, president of the urban tour group. At the base of the skidmore fountain is a guiding principle of the urban tour group. Citizens are the riches of the city. We share the meaning of this motto to inspire young students what good citizenship means and things that they can do to be good citizens themselves. We tell them about the deeds and the actions of citizens who have made a difference in our city's history. Our guides serve as ambassadors to Portland sharing Portland's history, its planning for the future, public art, architecture and let them see several different sides. We offer three different tours that while visiting different sites always inspires students to appreciate what makes a thriving city, and the role they might play to be a part of a success of their city. What started out in 1970 as a few members of the women's architectural league and lives of architects has grown into an organization with tours around 5,000 students a year. I wanted to introduce two of our longest serving members. Jarrell lauer, who has been a member for 49 of the 50 years. [applause]

Wheeler: Great:

Page: And sue friedmann, member for 45 years. [applause] today we have 168 members. Men and women from a wide range of careers, who have given up their time and talents to provide two-hour tours to educate and enrich students' understanding and appreciation of Portland. It is an honor for me to represent the urban tour group as president and it's also an honor that you, mayor wheeler, honored the urban tour group and our 168 members. I have to add a personal note. Whenever mayor wheeler has time and can talk to our students, we visit city hall. My tour does. You take the time to talk to our students and I really appreciate it. I think some of you council members also do. I haven't been on that. Our 2020 celebration year has two presidents and I would like to introduce my successor, karen pender, who will become president in june.

Karen Pender, Urban Tour Group: Thank you. Urban tour group is a nonprofit self-sustaining organization and any fund-raising we do is just simply to train our new incoming and existing members so that we can be the best tour guides possible but we also provide transportation funds to downtown Portland for our schools and especially in particular those schools that would not be able to participate because of transportation needs. We want to extend a very special thanks to the many businesses, churches, cities, state and federal entities who allow us into their beautiful buildings so that we can share these with our students as well. Most students that come on the tours have never seen some of these amazing sights such as this one that we're sitting in right now. Along with this amazing honor today we will be celebrating our 50th year by participating in at least one Portland rose festival parade, enjoying and sharing a beautiful commemorative poster designed by a local artist hosting a gala event at the Oregon historical society and they have been a long time very generous sponsor of our group on october 1st where we'll highlight our 50 years of existence and service to the students of the Portland metro area. So thank you very much for helping us kick off this exciting year, and please accept our open invitation to join us any time you'd like to take one of our tours. Thank you.

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Wheeler: Could I ask you ladies a question? Are these some of your volunteers?

Binder: They are all volunteers.

Wheeler: Thank you for the work that you do. We have a number of volunteers down here as well. Colleagues?

Fritz: I have been feeling a bit sorry for all of us today. It's been a heavy day. I feel like i'm doing a difficult job. You just reminded me chaperoning those field trips when my kids were in elementary school, that was difficult: You have the patience of saints. Thank you so much. I learned a lot as somebody who was just getting used to Portland back then, and every time I go I say thank you.

Page: Thank you.

Wheeler: I would just like to add the reason I try to make myself available is no matter what kind of day i've had, when you bring the kids in, they are really hilarious. [laughter] just off the top of my head some of the favorite things, I always ask what have you seen and what's really cool, and you never know what they are going to say. Some of the favorite questions they have asked over the years, one kid raised his hand and asked if as mayor do I get access to a private jet. [laughter] and to which I answered there are many fine benefits to being the mayor of this incredible city, but unfortunately that's not one of them. Then one of the other questions I was asked was by a little girl. She asked quite sincerely, do you live here? [laughter] to which I responded, yes, yes, unfortunately I do. [laughter] but it's just great and I can tell that they are having a lot of fun and they are learning a lot. You're opening their eyes many times for the first time really to the incredible assets that this city has and helping lay the foundation for the future support for all of our civic and cultural institutions in this community. It is so appreciated. I have one sort of specific question. This is really a cheap way of helping you to get a plug in. How do you raise money for what you do? When and where do you do it and if somebody is watching this on tv and are inspired by your work how do they get involved?

Page: We have one fund-raising auction, the first thursday of december, where we think of fun activities that our members would like to do and they either bid on them or just do a silent auction, and they bring their friends. That's how we do it. We have one fund-raiser that brings in a lot of -- most of our funds that we need.

Wheeler: Before I get to commissioner eudaly, if somebody wants to be a volunteer how would they get in touch with you?

Page: They could go online to -- i'm --

Hardesty: Urbantourgroup.org.

Wheeler: Commissioner hardesty is signing up as we speak.

Page: Thank you. Only the president can't remember the email address. They could contact us, and we send out an application and interview people and then we provide nine weeks of training. Well, I should say nine sessions over nine weeks, usually a good half day.

Wheeler: That's great. Great. Thank you. Commissioner eudaly.

Eudaly: Thank you, mayor. First of all I want to say i'm not sure if your groups have come to my office or not. We get lots of groups coming but you're certainly welcome. I can't show the kids where the secret passages are, but there's a cool old safe at the top of a spiral staircase that I think is worth noting. The mayor may not have a private jet but he does have a private rest room which I remain very envious of. [laughter]

Wheeler: The one unknown perk.

Eudaly: Only one. And finally, that's the reason I would want to run for mayor. [laughter] finally I heard that city hall used to have a penthouse on top of it. I have not been able to find any further details or find any photographic evidence. I'm assuming that was residence for the mayor but maybe not.

Wheeler: It's where the auditor lives currently, isn't it? [laughter]

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Eudaly: Sadly it's not there because I forced one of our security staff to take me to the roof in my first year here, and it's just a really boring hvac system there now. I just wonder if all the walls of knowledge in this room anyone might be able to solve the city hall penthouse mystery. Not today but maybe --

Page: We'll research that. We will write to you and tell you what we find out.

Eudaly: Thank you.

Wheeler: That's great. Any further comments? The proclamation represents the values of the Portland city hall and by extension everyone in this community. Whereas the urban tour group is celebrating the 50th year of outstanding and meaningful service to the school children and the entire city of Portland. And whereas the purpose of urban tour group is to provide children with an awareness of the urban environment of downtown Portland by guiding them on walking tours. And whereas urban tour group gives children a sense of the city's past, present and future and broadens their knowledge of the city's architecture, history, and present activities. Whereas the urban tour group encourages children to assume responsibility for the world that surrounds them by developing knowledge of and pride in their city and good citizenship for the future. And whereas the urban tour group is a nonprofit program which has toured over 190,000 children since its creation in 1970. And whereas the urban tour group has provided training to hundreds of volunteer guides enabling them to give tours that are age appropriate, accurate, interesting, and of course fun, while providing support to schools needing transportation assistance. Now, therefore, I, Ted Wheeler, the mayor of the city of Portland, Oregon, the city of roses, do here proclaim January 8, 2020 to be Urban Tour Group Day in Portland and encourage all residents to observe this as Urban Tour Group members continue to celebrate their 50th year anniversary. Thank you all. [applause] Would you mind if we got a quick photograph up front with you holding the proclamation?

Wheeler: We're going to go into recess for five minutes.

Recessed at 2:55 p.m.

Reconvened at 3:08 p.m.

Item 22.

Wheeler: Good afternoon, madam auditor. Welcome.

Mary Hull Caballero, City Auditor: Good afternoon, mayor, commissioners. Before we begin I would like to extend our condolences to commissioner Fish's family and staff and acknowledge how much we will miss him and his enthusiasm for transparency in city government. It was my honor to serve with him. We are back before you today to share three recently completed audits on police overtime, the Portland building renovation contract, and accountability commitments to voters. Before we get started on those, though, I want to bring your attention to a new process we started last year publishing follow-up reports. Improving programs and operations using taxpayer money efficiently and ensuring equitable outcomes from city delivery are the goals. To achieve them bureaus must act on our recommendations. Beginning last January my office began documenting bureau progress to implement recommendations. Our prior practice was to track progress and report. It's an auditor's office performance measure but that fell short of giving credit publicly when bureaus took action and giving them a nudge when they haven't. We issued three follow-up reports in 2019. By design the reports are brief and use a green, yellow, red graphic to indicate implementation status. In future presentations to council we will include these reports in more detail as time permits. We also look forward to the day we publish our first follow-up audit with all green icons. Now to the new audit reports. With me today from my team are Elizabeth Tapin, Tensingona and Jenny Scott.

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Elizabeth Pape, Performance Auditor: I'm elizabeth tapin. I'm going to talk about the results of our latest audit on police overtime. We found that police were working a lot of overtime, nearly 250,000 hours in 2018. That's equivalent to more than 115 employees. These overtime hours affected officers on patrol interacting with the public. The most hours worked by any single patrol officer in one week was 97 hours. Patrol officers worked more than 20 hours of overtime in one week, 1100 times in 2018. Long work hours like these cause fatigue. Researchers have documented that officers who work excessive overtime were more prone to accidents and injuries on duty, had a higher incident of burnout leading to early retirement, used sick time more often and fell asleep more on duty. We found there was no mechanism to identify officers who may have been putting in excessive overtime and in danger of being overfatigued. 10% of patrol officers consistently worked more than 20 hours of over time in a week and one worked more than 20 hours of over time more than he didn't. 27 weeks in 2018. Sergeants had no way to identify the outliers. Some cities place limits on the total number of hours including overtime officers can work in order to prevent fatigue and abuse. Seattle has a limit of 90 hours. San francisco has a limit of 60 hours. Denver has a limit of 64 hours. In contrast to peer cities Portland did not have limits on the amount of overtime officers could work. Bureau staff at all levels said there was no sense looking for ways to limit overtime because of the existing personnel shortage and the numbers the bureau reports to city council reinforce this message. We found that reasoning to be based on faulty assumptions that overtime data were reliable and decisions were sound. The numbers in the personnel shortage category reported to council include instances when sergeants ask officers to work patrol on overtime above shift minimums when they wanted extra team. At least some portion of overtime was the result of a computer problem. We documented instances in which the system recorded overtime as related to personnel shortage when shifts were staffed above minimum. Missing or inaccurate data made it impossible for the bureau to verify whether personnel shortage overtime was only used in cases where shifts fell below minimum and which sergeants were responsible. We also reviewed the bureau's program to allow officers to work off duty overtime for private employers. Officers worked 19,000 hours of overtime for 89 private employers in 2018. But the risks to providing the service to private employers. Secondary employment can delegitimize the police force. Staff said that sometimes business owners didn't want police to arrest people even when they committed crimes. They mostly wanted police for visibility and it was problematic when public observed a uniformed officer committing a crime and didn't get arrested. The bureau approved a contract for security at an event hosted by the southern poverty law center even though the contract explicitly stated that it was a private event intended for donors. In contrast the bureau denied a contract related to an event hosted by the Oregon liberty alliance determining that it was political and largely for private security services. Secondary employment can result in bias policing. Commanders said they struggled to reconcile requests for police services with the bureau's approach to racial equity. Staff seemed to appreciate the danger they may want to target people of color but there's no way to document this because the criteria for denying contracts did not include concerns about racial bias. Commanders didn't discuss this concern for contracts they had approved. Secondary employment can burden city finances. The amount the city bills for secondary employment did not cover administrative costs such as time spent reading and approving contracts, the time administrative staff spent processing payroll or the time accounts receivable staff spent billing customers. To ensure that all personnel shortage overtime is accurately documented and to allow supervisors to better manage patrol overtime the bureau should provide useful reports about staff overtime to supervisors, remit over time as other departments have, and improve overtime data collection. To ensure the public benefit of secondary employment outweighing the associated risk. The chief office

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conducts the primary review of contracts, report on contracts approved, hours worked and finances and create rationale for overhead charges that include the cost of payroll processing and billing. We will check back in a year to make sure that the bureau has followed up on our recommendations.

Hardesty: Excuse me. I would very much like to ask questions on this report because I will be gone when all of the audits have been completed.

Wheeler: Go for it.

Hardesty: First I want to thank you. I'm always very impressed with the quality of the work that your office does. I have never once seen an audit that wasn't thorough, thoughtful, and I just want you to first know just how much I appreciate the hard work that goes into the audits and how clear your audits are in providing us good information. Having said that, I'm very concerned that as we saw in the chart that we continue to use the excuse of not having enough officers as the reason for this excessive overtime, and you mentioned in the report about a north Portland -- north precinct which hires officers for overtime, sometimes double and triple hiring when they just need one and they end up with three. In your conversations with the police bureau did the police bureau offer any advice about how they are going to make sure that that does not happen in the future?

Pape: So that issue happened because of a glitch in the software that the bureau uses for scheduling shifts at the precincts.

Hardesty: It took six whole months to figure out that there was a problem. Why did it take so long to figure out that two or three people were showing up for one shift?

Pape: I think the bureau doesn't have good reporting, at least at the time of the audit it didn't have good reporting to show which shifts were overstaffed. So we have encouraged them to collect data better and to also produce regular reports so that more people can keep an eye on these things.

Hardesty: I just want to say that's normally a recommendation to keep better reporting but the reporting doesn't seem to get better. I'm sure we'll be talking about that as we move forward. I'm also very concerned about fatigue both for folks who are working excessive overtime within the police bureau doing police work and then those who are also working outside on other private employment. Do you have any data to show how much of that crossover there is in those two activities for overtime?

Pape: I didn't look at separating that out. That data is there so that's something the police bureau could provide to you.

Hardesty: It would be really important to know whether or not people are working excessive hours for on duty and excessive hours for a private company. 97 hours a week, I can't imagine anyone working 97 hours a week but that's an outlier.

Pape: The ones that stand out for me remembering were mostly ones working shifts, not secondary employment.

Hardesty: Have we addressed the problem of people working overtime to complete reports?

Pape: That was another recommendation that we suggested that the sergeants would keep track of which officers were acting as outliers and using report writing overtime. That could be an opportunity for training on how to write reports better or maybe be identifying areas of abuse.

Hardesty: I think the last question that I would have is my concern that -- my concern that we may have too low a level of supervision making those decisions. When we have sergeants making decisions about how dollars are spent without supervision from their supervisors, then I think we end up spending money in ways that are inappropriate and not consistent with the mission of the police bureau. I notice that you did point out that after we lowered the level of decision making around how dollars are spent in the various precincts

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that it appears that then overtime is out of control in some of those areas because we have a sergeant making decisions rather than someone in a higher up management position.

Pape: And so we recommended that not only does the bureau create reports on officers and seeing which officers are working excess overtime but to also look at which sergeants are approving more overtime. So that they could also get feedback from their supervisors.

Hardesty: Thank you.

Wheeler: Commissioner eudaly.

Eudaly: Thank you, mayor. I share many of commissioner hardesty's concerns including issues around secondary employment, which I find problematic in the variety of ways. Yesterday we heard that ppb prioritizes staffing for core functions. I have heard since I have been here that personnel shortages are keeping them from fully staffing different divisions and that they have to make tough decisions about allocating their resources. I find it really difficult to reconcile those 19,000 hours of secondary employment with that claim. 19,000 hours is roughly equivalent to nine full time officers per week. I guess there's not so much of a question in there as just wanting to put a statement on the record about that. The other very serious concern I have is unlimited overtime. I think we absolutely have to address that. I don't deny the personnel shortages may sometimes necessitate overtime, but we don't want tired officers on duty. We don't want tired people behind the wheels of cars. We don't want tired people making life and death decisions. If you want to respond to anything I just said feel free. I'm sorry, I would be losing jeopardy right now because I did not phrase those things in the form of a question. [laughter]

Fritz: would you agree or care to comment?

Pape: One of the things about limits is that it's not necessarily going to take away from the bureau's flexibility to staff when it's understaffed. There's a few people who are really outliers who are working excessive amounts of overtime, but having a limit would give everyone a reason to say, no, you need to go home and sleep and someone else can pick up the slack.

Hull Caballero: If I could address something commissioner hardesty said, the upshot of this audit is you were speaking to the sergeants, we ask sergeants to do a difficult, dynamic job and what we want them to have are the best tools available to make really good decisions, to manage their staff, and to know who might be tired, who they have been tapping too much or who has been volunteering too much. It's my understanding a lot of the people who are working overtime are volunteering to work it. That's what we think is most important is that as managers, which sergeants are, they have the best tools available to them to make good decisions.

Hardesty: If I remember seniority based. Right? You go to the most senior person first and offer them overtime then go down the list from there?

Pape: That's right.

Hardesty: That's what I thought. You talked about not keeping public records of contracts that were denied. I was under the impression that any documents were public records documents that could be accessed, and so i'm just wondering why Portland police got into the habit of keeping some contracts and tossing other ones. I can't speak to things out of my office. I'm curious as to why they could.

Pape: A lot of the reason is that the process for approving contracts has evolved over time. What's happening now is a lot of requests will come in through the police unit and be almost worked out before they even make their way to the commanders and the chief's office, which is why the chief agreed with us that it would be better for it to start funneling in through the chief's office.

Hardesty: I though we had changed that. Has that changed in the time that you were doing the audit, that process?

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Pape: Not during the time we were doing the audit, but I think that's something my understanding is they are considering. But one of the things that happens is a contract gets denied in an informal way so by the time they come into the chief's office they are already going to be assigned anyway. It's not that they are throwing out public records, it's an informal process and they are not keeping records of what they say no to.

Wheeler: The assignment process has been moved back into the chief's office. You can check that box.

Hardesty: One last question. You said labor agreement requirements were not being enforced. You found 71 incidents in 2018 when officer or sergeant was compensated with time off for secondary employment. Time off at a future date instead of payment is problematic because when patrol officers take time off they can be backfilled with someone on overtime. Could you talk a little bit about what part of the labor agreements are not being followed that you highlighted here?

Pape: I'm not entirely familiar with it off hand so I can't reference a number. Paragraph. There is a provision that says that for secondary employment officers will not be compensated with time off and they will have to be paid in cash, with pay, time and a half, to compensate them so they are not allowed to bank the time in comp time which they can do when working regular overtime. They can either take time and a half pay on their paycheck or bank it to use at a later time. So we found instances when officers were banking their time instead of getting it in their paycheck that week.

Hardesty: This is a private contract with a private company that is supposed pay these officers for being employed under that secondary employment contract?

Pape: No, actually, the bureau and the city pay them so the city does all the billing to the private customers, it just gets paid in their paychecks.

Hardesty: But you found 71 incidents which to me is pretty problematic in one year of that not happening the way it's supposed to happen.

Pape: Yes.

Hardesty: Thank you.

Eudaly: Just one more question. We had a budget note for fiscal year 2017-18 that the bureau would achieve full cost recovery on secondary employment. I understand the bureau recommended a \$50 an hour increase. The Portland police association pushed back and said that was too much and it wasn't raised the full amount. Do we know how much it was raised and whether or not they have achieved full cost recovery on secondary employment?

Pape: I haven't done a follow up on it yet so I can't answer the question.

Eudaly: I would love to know. It's absurd we would be subsidizing police service for private businesses.

Pape: We'll take a look that the when we do the follow-up.

Eudaly: Thank you.

Hull Caballero: thank you. the next one is the Portland building contract.

Tenzin Gonta, Performance Auditor: Good afternoon. My name is tenzin and I serving on the city audit team. The city auditor as completed a series of audits. Because of the budget's highway profile nature, complexity and cost. Audits contribute to the accountability and oversight of a construction project. In addition early recommendations for improvement or correctioner are less costly when identified after construction. Our first audit from december 2016 covered the planning phase and ended with the city's main contractor. Our second audit was published in june 2019 and followed up on the district sh 2016 recommendations the city should closely manage to be a success. Today we are sharing the results from our third audit which was releases in 2019. The report was called Portland building contract, costs aren't are contract although the required class classification and calculations for final payment need to start now. This third audit focused

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on the city's main contractor for the renovation. And shown on this graphic from the office of management and finance, the city as project owner chose the doable method on the left. This means that unlike the traditional approach shown on the right the city is using one main contractor for the Portland building's design, construction as well as relocation of city employees. As a result most of the renovation activity is included in the design, built build and relocations contract with the city's main contractor. As of month 2019 the contract amounts was 157.594 million, our 60 percent of the total had been built thus far. The contract includes requirements for how this the contractor will be compensated for costs, submit contract changes and select subcontractors. These are common focus areas for interim audits of a project and a construction project. The city auditor has a construction audit experts to evaluate the city's compliance with the Portland building contractor requirements. Auditors drew conclusions based on testing from a sample of project costs, change order asks subcontractors. The audit found many leading practices were employed on the Portland building renovation. Generally the contractor was following the contract requirements in the three areas audited and let's go into detail for each area. Costs windshield by the contractor were mostly accurate supported with detail monthly expenses and allowed by the contract. The city's review process was thorough and aligned with construction industry practices. Changes to the contract the auditors reviewed were well managed, properly approved and approved cost activities allowed by contract. The city approved ten million dollars in changes after setting the contract price in december 2017. Subcontractors were selected by the contractor using sound outreach, advertisement, bidding and evaluation practices. The contractor shows 140 subcontractors with contracts a that totaled \$122 million. In addition to these positive results the audit identified improvement areas with specific recollections. Let's now go into detail for each area. The cost classification had not yet been completed by the city or fils contractor. The classification is required by contract and is an essential piece of information needed to prepare for the contractor's final payment. Without it the city may be channeled to comprehensively evaluate their reasonableness or contract costs or contract compliance. In the absence of this information auditors estimate 77.8 million or 49 percent of the contract amount is tied to actual costs subject to an audit. The other 51 percent of the contract amount does not require support for actual costs and is not subtle to an audit. Calculations for final payment are important because some bills have been based on estimates and they result in cost savings once compared to actuals. One area to scrutinize pub personnel costs because they are the largest and most consistent source of cost savings on construction projects. For example, the city's main contractor has billed some personal costs based on estimates. It would be critical for the city to compare these estimates to actual costs paid by the contractor. When the contract does not specify when -- while the contract does not specify when and how project costs will be reconciled. The city and the main contractor have informally agreed to perform final calculations as part of project closeout. Calculations for final payment will be time consuming and should begin now rather than waiting until the renovation is complete. Finally, lessons learned from Portland renovation should be shared to benefit other city construction projects. Examples of areas for future improvement clear clear contract language about cost documentation and completed project management plans. Moving forward the city auditor will monitor and report the city's implementation of these recommendations as part of our office's annual follow-up process. Thank you.

Wheeler: Thank you.

Jenny Scott, Performance Auditor: Hello, my name is jenny scott and I love the audit release last month saying the city needs to make realistic commitments to voters and ensure they are delivered. During the audits of programs created by the arts tax, the cannabis tax, the Portland housing bond and the gas tax, we noticed a trend. Across most

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of these city referred measures, the city made commitments about how -- about what new resources would be used for, oversight, annual public reports, annual audits and administrative caps. However, the city's implementation of some of these accountability protections fell short of what was promised. In our oath we examined the city's implementation of audiences made to voters. This audit was unique because city council was the auditee. We didn't want to focus on the bureaus that have been involved with the city referred measures in the past since future initiatives may involve different bureaus. We found that there was no consistent assessment of the feasibility of commitments made to voters. Although council approved all measures they placed on the ballot, the council meetings did not include discussions about each accountability measure the city planned to promise and the fiscal impact statements did not include information about the administrative burden and costs to implement the accountability commitments. Portland is not alone. Other cities did not have a unique mechanism to help ensure that commitments made to voters were realistic. We found that the city is not always clear when communicating commitments to voters in ballot titles and explanatory statements. The city attorney's office drafts the ballot titles and the summaries cannot exceed 175 words. On the other hand, the explanatory statements are typically written by the commissioner's office that sponsors the legislation and are often informed by polling. Up clear language and varying levels of detail may confuse voters and can make program implementation challenging for bureaus. Portland's commissioned form of government can make program implementation more disconnected from commitments made to voters than other cities. Commitments can fall through the cracks or diverge from what was promised to voters when there are changes in leadership coupled with unclear commitments. There's no central and consistent monitoring once a voter -- once a voter approved city tax or bond is passed and consistent with what was promised with voters. Oklahoma city and Austin assigned monitoring of voter approved programs to the city manager's office to help ensure that commitments to voters were delivered.

Wheeler: Are you making a case here for a different form of government?

Hull Caballero: I am.

Wheeler: I want you to know I support that, but I wanted to overtly ask the question. Are you making that case?

Scott: Well, we are arguing that it's harder to ensure that the city delivers their commitments because of this commissioned form of government.

Wheeler: Personally, I agree with you.

Fritz: I wasn't sure we could have a debate, but let's not.

Wheeler: I just wanted to take the opportunity. You know I couldn't resist.

Scott: To help ensure that ballot commitments are achieved, we would recommend that before preparing language for city referred ballot measures, city council should direct bureaus to assess the administrative burdens and costs to implement planned accountability measures to ensure that they are feasible. These assessments should be documented so that the meaning and intent can be referenced when the program is implemented. Make commitments in the ballot title and explanatory statement to voters that are smart, specific, measurable, achievable, realistic and when appropriate time bound. Specify the position or body responsible for monitoring accountability commitments. Early verification of accountability measures are implementing and regular monitoring to see that they are operating as intended should be included in these duties. In addition to recommendations for city council, in our audit we shared information on ways to approach accountability commitments in future ballot initiatives. These are available in the audit report and in the one page highlights document. Thank you.

Wheeler: Thank you.

Hull Caballero: Do you have any additional questions?

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Wheeler: I do not. Does that complete your report.

Hull Caballero: That completes our presentation

Wheeler: i'll entertain a motion.

Fritz: [indiscernible]

Wheeler: Would you mind if I made some closing remarks then.

Hull Caballero: Please.

Wheeler: So first of all I want to thank the auditor for the reports we heard today. The police monitoring oath, the contract audit and tax accountability as well as the other follow-up reports zoned with these. Regarding the overtime audit the audit centered around three key areas, the first was data collection, the second was reporting, the third area was secondary contracts. On data collection, I would argue that data collection has improved as a result of oath and and as a result of the audit Portland police bureau made a data model to ensure minimum staffing lengths. Sergeants now have access to a tabloid dashboard which has improved overtime reporting management. With regard to reporting since the audit of the Portland police bureau has refined the overtime dashboard to include metrics by division, assignment, type, individual, and improvement level overtime data, pbd's next steps include training for also supervisory personnel on the dashboard to improve their understanding of overtime usage, and additional the Portland police bureau will launch a public facing dashboard by april 2020 and we look forward to working with you to continue to enhance those opportunities of. On secondary employment contracts, actions have been taken to more effectively manage secondary employment contracts. Senior management oversight has increased. Pbd's chief office is now reviewing all contract requests in deciding which contract will be approved which will be denied. In january, bargaining sessions will begin and secondary employment will likely be discussed as part of bargaining. In summary, the changes in overtime management by p pd have improved clarity and transparency in the management of ppd overtime dollars. To be clear the work is not dope, p pd is continuing effort toss effectively manage overtime dollars to address staffing shortages while providing for the public safety. With regard to the Portland building, reconstruction. The Portland building reconstruction contract audit confirms that the city has been complying with financial best practices in managing the contract for this project. This is also been noted by Portland building community oversight committee which is consistently praised the project for its transparency and its commitment to financial stewardship. I particularly want to highlight the finding related to the contractor's selection of sub contractors. The Portland building reconstruction team worked collaboratively with the prime contractor, to carry out outreach and procurement methods to helped us to meet our beneficial social equity bills for diverse contractor and workforce participation. We're very proud of the hard work the Portland building reconstruction team did in meeting those goals and responsibly managing this contract. I also agree with the ad's recommendations for improvement, including the need to begin calculations for final payments immediately and to show lessons learned from this process to inform and improve future city projects and finally I appreciate the recommendations for improvement in the audit of accountability for voter approved taxes. The city has by and large delivered on the commitment we made about how voter approved tax can bond revenues would be used. However we can do better to make our commitments about accountability measures clearer and more specific to improve their implementation. I looking forward to working with my fellow commissioners to take these recommendations into account in future measures the city may place on the ballot. And I want to thank you all for your hard work on this.

Hull Caballero: Thank you.

Wheeler: And we will take about a seven minute-ish break and we'll be right back. We're in recess.

Recessed at 3:44 p.m.

Reconvened at 3:51 p.m.

Wheeler: Back in session, carla could you please read item number 23.

Item 23.

Wheeler: We now continued our work to strategically strengthen title 11, the city code that regulates trees. Last month as you'll recall we extended 2016 amendments to title 11 to december 31 2024. These amendments strengthen tree preservation requirements, especially preservation of larger size trees in development situations on private property. Statement council took this emergency action we also heard the need to address exceptions in certain commercial and industrial zones, reducing the critical tree size diameter in a broader title 11 review. Today we will hear from representatives three bureaus responsible for administering title 11 about a resolution that would guide this work. My direction has been clear to the bureaus. We must bring legally defensible proposals to strengthen title 11 and do so as quickly as possible. I've been directing my bureaus to prioritize these areas of work. As a result bureau staff have changed their workloads to she can meet these accelerated tribes. I'm grateful to the bureau staff for working hard to do so. I would like to introduce an updated resolution with technical changes. these changes clarify the direction to bureaus regarding the analysis the city must do regarding the exemptions in certainly commercial and industrial zones. The changes also include an earlier deadline for the second analysis regarding critical tree size. We have two versions, one that shows the edits and the track changes and one without. And I want to thank my colleagues for their hard work on this. Commissioner Fritz and I have been running around today and frankly having some fun with this. And I want to thank you for your hard work with this. Commissioner Fritz, would you like to offer up the substitute, please.

Fritz: I move to substitute.

Eudaly: Second.

Fritz: Also, if I might, commissioner eudaly was the one who set this ball rolling and she and I have been going back and forth. We are allowed to have conversations in our staff have been meeting, and so I we have got to a good place and we hope you agree.

Wheeler: And I want to acknowledge commissioner eudaly as well. And so we have a motion, we have a second for the substitute. Any further discussion on the substitute? Hearing none, call the roll.

Fritz: We'll hear testimony on it. Aye.

Hardesty: Aye.

Wheeler: Aye. Substitute's on the table. thank you. Sam diaz will begin the presentation.

Sam Diaz, Office of the Mayor: Good afternoon, mayor and commissioner. For the record, my name is sam diaz. The lee lee san for planning and sustainability. So we return the council to present a resolution focused on title 11. We have an updated resolution. Thank you for these improvements. You have hard copies of this resolution for the people in the audience right next to carla to follow along. We'll also be producing this updated resolution on the bureau of development services website. So to explain the resolution today we have revs from the bureau of development services, the bureau of Portland sustainable and parks and recreation, the bureaus are critical to safeguarding and growing our urban tree canopy. The bureaus are also important in bringing to council legally defensible changes to title 11 as soon as possible. First before we get into that I want to thank the over 130 mentors on the proposed resolution, mayor as you directed on degrees 12 we posted the draft resolution for public exempt on pps's website and set a comment for december 27. Even amongst the holidays with received 132 different commenters. We reviewed, categorized and responded to those comments in the comment and response summary table which we also posted on the website. during this public comment period we

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received many comments in support of a clear resolution that directs bureaus to take swift action to strengthen title 11. We also received comments supporting the resolution's focus on moving the excepts in certain commercial and industrial zones and reducing the critical tree size threshold. We received many comments supporting revision to the resolution as well. The majority of these revisions call for earlier deadlines for the bureaus to accomplish the work. The resolution includes deadlines the updated includes deadlines that represent an estimate for how long each bill will require. A number of factors web into this estimate, two of the main factors being current staffing capacity and expertise and state requirements which we will hear about more. We also received many comments for what a broader title 11 review can include and these ideas have been shared with parks and bds in anticipation of such a review. We also received exempts about adequate funding for this work. Resolutions do not promote funding this resolution does direct the three bureaus to direct clear budget proposals for counsel consideration so may they accomplish this work. I want to thank all the Portlanders who took time to provide comment on this resolution. These comments are invaluable. these comments in council's direction have generated urgency. They have consulted with the city of trees office to prepare defensible changes to title 11. In short they are working together to complete this work for staffing and funding. Turning to the resolution language before you the resolution serves as a work plan to align bds, pbs and park toss prior tides staff time and budget in these focus areas to strep then title 11. Bds, bps and parks will prepare first a proposal to address the exception regulations for certain commercial and industrial zones. They will report back with a proposal and an analysis no later than July 7, 2020. They will review an analysis allows them to do so, bps will show more details about yellow light city must do this analysis, again the state law and joe from bps is here to explain the process. Second bds and parks will return to council with a tree size threshold no later than July 7, two. Again in the legal review and analysis shows we'll hear more why. And lastly bds and parks led by the city forester shall bring a scope of title review no later than december of this year. I will turn it over to sandy with the bureau of development services. She will explain bds's role and outcomes.

Emily Sandy, Bureau of Development Services: good afternoon, again i'm emily sandy with the bureau of development service. first I would like to thank sam diaz for all his hard work communicating and engaging with the stakeholders and the commissioners' offices and the bureaus during the last few weeks, essential over the holiday season. I would like to give a brief recap on how the tree code is administered and amendments. That will hope '03 provide some context for the role that are defined in the resolution before you. Title 11 assigned administration of certain portions of title to either the bureau of development service or the city forester who is a part of Portland park asks recreation. Simplified you can think of title 11 as regulations to apply in development situations and those that apply in nondevelopment situations and similarly this are 2011 estimated by trees that are on private property and trees that aren't on private property which would include street street trees. Title 11 gives responsibility to the bureau of development services for administering regulations for private trees in development situations. The city forester is responsible for administering everything else. There's a couple nuances but that's it in a simple summary. As far as amending title 11 responsibility for coordinating amendments is given to the bureau that is responsible for administering the portion of the code in question in coordination with other bureaus. Verbatim what title 11 says is substantive amendments to this title or amendments necessary to ensure corms with other city titles may be prepared by any bureau but will be coordinated by the bureau charged with those responsibilities in the title. In consultation with the bureaus of planning sustainability, parks and recreation, services environmental services, transportation and water. Procedurally proposals for amendments related to tree this is development situations are heard by the planning

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sustainability commission and the forestry commission. Amendments related to trees in nondevelopment situations are heard only by the urban forestry commission who then makes a recommendation to city council. Given the roles laid out in title 11, bds will lead the first two projects described in the resolution do you see to their applicant for regulations of private trees in development situations. This will include strong coordination with all bureaus particularly those at the table with me today. We will be relying heavily on the expertise of our colleagues and bps to conduct an analysis of the impact on industrial lands that will inform us on how to proceed with the recommendations from the pfc and ufc to remove the exception for tree preservation regulations for private trees in development situations and certainly industrial and commercial zones. Bps will give additional information on this analysis in a few moments. Let's see. bds will also need the second project which deals with examining private trees in development situations that were passed in 2016 and as the mayor mentioned who sense that date was extended to the end of 2024. This will include evaluating the recommendation to reduce the critical tree size threshold from 36 inches to 20 inches. It will also include potentially examining whether an exception from tree dependency regulations in those same industrial and commercial zones can be removed. They currently apply to tree density regulations, which can be described as combining of tree planting and tree preservation regulations. Those latter two item were put forward by the u.n.c and pfc and play include ancillary changes. This project will begin in the very near term. I want to note that the resolution directing bds and the other bureaus to prepare a budget, scope and budget request in the spring bump. We're not waiting for that to begin work. We're focusing on getting through in resolution right now and immediately we will start work on that regardless of the outcome of that process. Finally the third project is a scoping project for a broader title 11 review. This will be done in conjunction with the city forester and she will describe more about that later. I want to emphasize bds has heard from the mayor and the rest of the council and the community about the urgency of proceeding with these projects in a very timely manner. And bds enjoys positive working relationships with all of our bureau partners. We like to think that especially with the city forester and bps and we look forward to working with them as well as all of our stakeholders in moving these projects forward. Thank you.

Wheeler: Thank you.

Joe Zehnder, Planning and Sustainability: Good afternoon mayor and commissioner. I'm with the bureau of planning and sustainability and i'm going to briefly give you some information on the analysis that we have to do to be able to move forward with code changes like this to meet the state requirements in the case of some of these and also the timing of what the role of the planning and sustainability commission is. As emily said so when tree regulations are in a development situation, triggered by new development on a site, those have to go to the planning and sustainability commission for a recommendation. You have three that are this this list. All three of those, some aspect of them falls into that. First the exemption for tree preservation for industrial and commercial lands, that's the first one that we're supposed to get back to city council with most quickly. Focusing -- our main focus has been on how -- what's needed to analyze that and defend it in a state land system for industrial land. Industrial land and prime industrial land is a gold mine state planning goal or tactic resource, so all that really means, it means that we can remove this exception. But we have to make findings on the impact of the new regulation on the ability to have land and development sites that are reasonably developed to meet our comprehensive plan growth goals. We tell the state that we're grow by 147,000 jobs by 2035 and we have the land ready to do that. When you make a change to a code you have to go in and see does it affect the developability of land, does it reduce the ability to meet that goal job target, and if it does, that doesn't mean you can't do it. It means that you need to identify how you're going to mitigate. So in the case here of industrial lands and trees, to

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the extent that observing 36 inch and larger trees and the economic cost of that is going to reduce the developability of land, we could initially find that indeed the industrial development could absorb that cost, so then there's not a problem. We could find that there is a problem, but we could mitigate that by creating tree resources off-site or some other way. We can invest in -- so there's mitigations that can increase the developable city of the land and overcome the impact of regulation. That's all -- we have to first thing all of that out before city council can vote on this change, and have that vote be legally defensible in the state land use process. This very issue of trees and this kind of impact on industrial land was the core issue in the north reach river plan case, which ended up in appeal with the state remand, and today we still don't have a north reach river plan, so we want to make -- and actually the state's standard on evidence and in the record for these cases has gone up since that time. So it's a pretty high standard that we have to meet right now. We want to nail it. We fully expect this -- it may or may not be appealed but we want to win, so there's a certain amount of time and analysis that needs to go in to do that. So I think I've explained that. At the same time, it's a lower standard or a different standard for the commercial land because it's not a protected state resource. Then what we would just want to be able to do is answer the questions we would expect from you all and expect from the pfc which is what's the cost of development. Because this will be applying to commercial lands in the central city and all of our centers and corridors. Because of the value of that development, economically it's probably very likely that it will be able to absorb this additional cost so it wouldn't be an issue, so we see the commercial piece of this differently than the industrial. The industrial is more complicated initially just because it's a state resource. The 20 inch caliper, which we're supposed to be reporting on by december, just increases the number of christmas tree trees. And the tree density requirements adds a requirement for additional plantings on industrial land that isn't there today. All of those in the analysis were under scoping and preparing to undertake, right now we would do the analysis and try to get back to city council as quickly as we could with what we're finding. We're already in contact with the bureau of environmental services and started to draft up idea and outline for the scope so we can get rolling quickly.

Fritz: Just a clarification, the trees diameter is coming back in july rather than december because we're gone to do the analysis together.

Zehnder: To have the chance to be here in december commissioner we need to do all of this analysis together. For us to be able to get here in july, we are filing our documents for commission in april. So that's a very short window and easy to meet window in december, more difficult in july. However we're confident that the unanimous analyze will be under way and be able to report where we are, and if we find mitigatable impact, we'll be back with code.

Wheeler: Thank you.

Jen Cairo, City Forester: Good afternoon, council. I'm jen, the city forester. Portland parks and recreation is the city's tree and forest infrastructure manager. As the bureau of environmental services is to wastewater parks is to trees and the urban forest. Our responsibilities include around the clock tree emergency response, tree care and maintenance, tree planting and forest expansion and equity, and education and community engagement, for example, the urban forestry commission. Parks also conducts forest and other analyses to inform planned and policy decisions like city code. Parks urban forestry is the entity primarily responsible for implementation of the tree code. We therefore integral to all three projects and will work closely on them. Parks urban forestry will lead the third project overall tree code review and improvements. This is more comprehensive than the property development situations that are the focus of the first two projects. Parks identified the need for a title 11 resources during the first year of implementation, 2015. This was captured in 2016 in our initial evaluation of title 11 outcomes and a report of the tree code

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implementation oversight committee created by then parks commissioner Fritz. Also the city auditor's tree code review of 2017. For example, each year 2,000 trees required by permits often to replace those that have been cut down aren't planted for want of codes compliance resources. That's a lot of trees. Resources also have not been available for tree code amendments or other policy needs such as updating the city's urban forest plan. therefore, in the 2020 spring bump, parks will request one ongoing forest analysis and policy position. This person, our emily sandy, so to speak, will lead the third project overall title 11 improvements including developing a brief high level scope of work for council by december 2020. That position will also lead work on other ongoing to go management, including updating evaluating and performance reporting for the city's urban forest management plan. This is required by city code to be updated every ten years and is now six years Oregon due. For example the current or bun forest management plan has little or no mention of Portland's environmental justice or climate crisis challenges. This person will also review and contribute improvements to plans, specifications and policies developed by city bureaus for their forest infrastructure content and impacts. For just a few illustrations, streets 2035 led by the bureau of transportation, the residential infill project and climate action plan, the storm water plan led by the bureau of environmental services, the developed parks and natural areas level of service plan and park master plans led by our parks. Finally, this position will also lead development, evaluation, revision, and help plan the implementation of forest management policies, protocols and specifications; for example, street tree planting specifications, tree procurement standards and emergency response protocols. Funding including this position is essential in order for park toes meet today's council directives and to manage, preserve and improve the city's forest infrastructure. Parks urban forestry is already working as much as possible on amendments. The need has been sidelined to free up some time from existing staff expert. This includes tracking amendment ideas from all sources and creating certain simpler amendments which council approved such as changes to the use of the tree planting and preservation fund in 2018. We'll continue to do as much as feasible while fulfilling other obligations. Finally, we'd like to thank council for supporting the city's forest infrastructure. We all literally can't live without trees. Given the climate crisis, the need is now urgent. We're seeking to bring council improvements for your consideration. Thank you.

Wheeler: Thank you. Commissioner Eudaly.

Eudaly: Are we going to be moving on to public testimony?

Wheeler: Yes, in case you have questions for the panel.

Eudaly: I wanted to thank you for this work. I know you had to hustle and it wasn't expected. I don't -- I understand the high volume of work that's crossing our dais and that we're sending out to the bureaus and I don't think that there was any deliberate attempt to not go back and do the work that we committed to doing to the public after title 11 was created but it wasn't done, and i'm glad that we caught that and i'm really happy that we are going to do it now. Thank you.

Wheeler: Very good, I want to thank you all as well. That was an excellent presentation and for people who are listening here today that are not here to provide testimony, we will accept written testimony until 5:00 p.m. On this issue, it's a first reading.

Fritz: It's a resolution.

Wheeler: That's correct. Stand corrected. Did you have something else in mind?

Diaz: Depending on public testimony you give me the opportunity to reflect back. We did reserve february 6 at 3:30 p.m. In case you hear something, would like to give us additional direction if there are any critical updates to the resolution that you hear that may not have been thought of. But just wanted to respect your public testimony and also your position.

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Fritz: We're wanting to hear public testimony to get feedback. The changes are based on the feedback we have had so far so I for one do not want the delay moving forward.

Eudaly: I don't have a strong feeling either way, but I do want to just thank community advocates and activists for pushing us on this. I neglected to say that sooner, when bob came to my office and explained the entire history of title 11 and also to joe and our urban forester for giving me our expertise and input. I want to highlight this as an excellent example of how we need the community to hold us accountable for promises that we've made and appreciate you.

Wheeler: Very good. How many people do we have signed up?

Moore-Love: We have 15.

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

Moore-Love: The first three coming up are charles johnson, edith gillis and bruce nelson.

Wheeler: Edith, this is a 3-for for you today.

Edith Gillis: I love you.

Wheeler: We love you. Thanks for being here. Do you want to start?

Edith Gillis: My name is edith gillis, and I want to say my maternal grandfather, I was told, developed most of seattle, was a multimillionaire, and he made more money than his competitors because he saved and protected the trees. He designed developments, roads, buildings, homes to amplify the benefit of trees, and those are the neighborhoods that are bringing the most money to the seattle city coffers. Trees bring value. And i'm concerned that delays in protecting our public life, health and safety and prolonging the risk and endangering by neglecting our fiscal responsibility for city resources and protecting our trees is losing credibility, cooperation, and team work that we need to have with the citizens. I am concerned that this is an emergency. We need to protect the trees and the appearance of impropriety on code enforcement. We do less than 48 hours or only 48 hours with no due process for people who are losing their belongings in being swept, and yet we allow months and years for wealthy people to increase their profits. And it gives the appearance of impropriety that can hurt you, ted, because it looks as if to some people that you are delaying the time in which someone can get -- before someone gets fined for logging trees, like schnitzer at wapato so he can give you money for your campaign. You don't want to have that appearance of impropriety. So I would like to speed up this process. I'm a field biologist and a naturalist and a science teacher, and we need to realize that -- we have to magnify and increase the whole volume, quantity, and quality of not only the tree coverage but also the biodiversity, because at any time we could lose all of our dutch elm or or western cedar or a wide group of trees. These trees are not going to -- douglas fir is not to live alone. A douglas fir is to be in a community of other trees. They have to exchange nutrients and information to protect each other from infestation of pests or diseases. So we need to amplify the amount of trees we have and not just have a bigger amount. we need to speed up that. It's an emergency and we need to have a greater quality of tree protection and education of the public, as well as having trees on roofs, on eaves and on walls.

Wheeler: Edith, i'm going to give you a bad fight analogy, and maybe i'm just in a punchy mood today. It's been a long day. But I don't care if I get the first punch in, I want to get the last punch in. So the balancing act that we're doing here is fast meeting the needs that we have heard from, people who gave, I thought, compelling and eloquent testimony, but I do not want to ignore what legal council has been telling us in terms of making sure that when we do this, I want it to stick. And to give you a clear example, I supported all the work that the city council did -- commissioner Fritz was here back in 2015 and '16, when they passed the fossil fuel infrastructure ordinance, but the problem was it got remanded, and now we basically have to wait three and a half years --

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Edith Gillis: It's your job protect us from lawsuits or taking staff time away from other things, I get that.

Wheeler: I know you do, and there's a balancing act that has to happen here. And I believe that this resolution, the substitute resolution, is a very good balancing act that moves this as quickly as we can, and I think we heard that from the staff members who testified. But I also believe that we are strongly protected, from a legal perspective. So that's the work that we're trying to do here today. And I appreciate your comments now and I appreciate your comments earlier today. Thank you.

Bridgecrane Johnson: Good afternoon. Charles Johnson, for the record. And I think that I heard one of the staffers say that they had reserved time on Thursday, the sixth of February, a time certain, maybe, I'm not sure. If they have, I hope that you'll avail yourselves of that opportunity, even if after the close of public testimony or for public grand slam near the end -- Bob Sallinger is in the house from Audubon. Even if you approve the resolution, I think citizens want to be kept up-to-date. So it would be a great time for you to have some of those great tableau dashboards you talked about. Once upon a time, the way the city's values were, if you went to Portland.gov/smart, it took you to smart parking. And the days of worshipping cars are over. So now when you go to Portlandoregon.gov/smart it talks about the whole smart cities initiative. And rather than worrying about the UFC and the DPS and all that, among the things that would be great for you to accomplish by the sixth of February or sooner is that when we went to PortlandOregon.gov/trees, it told us how much great progress we're making on saving trees. Trees everywhere. Helping Jordan Schnitzer save trees. Making sure heritage trees program gets expanded. All the things we need to do to preserving the urban canopy. So it would be nice to have PortlandOregon.gov/trees help us better interface with the city about tree protection and urban canopy. I'm also curious to hear the other public testimony, not just Bob Sallinger, so you'll be well informed. And you can either pass this resolution unanimously today or get a second meeting for the process from the city attorney. Thank you.

Wheeler: Thank you.

Bruce Nelson: My name is Bruce Nelson. I'm a member of the urban forestry commission and also on the policy committee for the urban forestry commission. I think I'm going to go off script, but hopefully it will be appropriate. In this particular time, I think we need to think about joy in our lives. Trees bring joy at different times and places, and the work you're doing on the tree code will, can, should bring joy to the city of Portland for many years to come. When a tree's cut down, the city of Portland loses the benefit it gives for 20, 30, maybe 50 years before a tree gets to the size of the one that was removed. So the work you're doing is important, and although I would like it to go faster, it happens. Let's get it done right. Specific to that, I want to make sure that you're -- the change on 1150.040 specifically deals with density, the clauses in the tree code that talk about density because we can't deal with just preservation if we exclude dealing with density, then that's a loophole that's going to allow the removal of trees. The urban forestry commission and the policy committee both hoped this would proceed faster than it is but I understand the reasoning for that. The zones that we're talking about, adjacent to neighborhoods that have a low canopy. Many of these trees we're talking about are specifically in east county where there's going to be a lot of development going on, you're dealing with a tree code section that specifically talks about development. You're dealing with east county. You're dealing with areas where it's not shared the riches of the city. So I appreciate the work you're doing on this. I appreciate the work that staff will be doing on it. I wish it was all happening faster but, yeah, lengths -- let's get it right and make sure the courts don't mess it up.

Fritz: Thank you very much for your testimony. I had not spotted that the language in the two different results was somewhat different but the intent of addressing the exemption

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from regulations in the ig 1x and cx zones includes the regulations on densities as well as preservation. **Fritz:** So i'll just clarify that on the record but that wasn't intended to not address preservation, thank you for bringing that up. Density.

Nelson: Thank you.

Wheeler: Thank you. Next please.

Moore-Love: Bob bernstein, deanna miller crispin and katherine ruchoux.

Bob Bernstein: i'm bob bernstein, 50 year resident of southeast Portland. We are in a drought, or close to a drought. It's drizzling today, but even if you add part of September's heavy rainfall on to the water year, we're only at 66 percent. Two summers ago we had 30 or 31 days above 90. Last summer was still a warn summer because of high overnight lows. Small trees, mitigation type trees are more susceptible to drought. It makes keeping our mature canopy more and more important. I would like to see some study as to well the survival is going for those mitigation saplings that are planted. I know that christmas tree farmers have noted losses and foresters reforestation efforts have not been as good due to drought situations. When we speak to stakeholders, I get worried. I've been to enough forestry board meetings to see how if you control the process and the appointments of stakeholders you control the outcome. And that concerns me. It concerns me that you have some ties to the real estate interests in Portland. So i'm hoping that whatever stakeholder involvement, and I realize I have the opportunity here as we all do to speak to you --

Wheeler: Are you speaking to me specifically?

Bernstein: Yes.

Wheeler: I'm not a real estate developer.

Bernstein: Your campaign office has been donated by whom?

Wheeler: I get donations from --

Bernstein: I would feel much better -- this is my time. I would feel much better if you were being -- if your campaign was publicly financed.

Wheeler: That's a difference of opinion.

Bernstein: It certainly is. Anything else, I would defer to audubon's recommendation about moving this as fast as possible. I've seen the city turn on a dime when it wanted to. Was it goodman got an okay for going up another hundred feet for development? All you had to do was meet with planning and sustainability bureau. So I think the city can really move if they want to. I understand defensibility. And I also know that in terms of industrial lands nobody mentioned anything when ballparks were talked about using industrial lands. So that to me is a crock.

Fritz: Okay, we haven't approved that.

Bernstein: And I would like to thank amanda Fritz for her help in the bull run issue. I was involved in that in the '80s.

Fritz: That's great, huh?

Bernstein: Yeah, it was.

Deana Mueller-Crispin: Hi. I'm deanna crispin. I'm here today as a member of the downtown neighborhood association land use and transportation committee, and i'm recommending the dna's position today. The downtown neighborhood association strongly supports the mayor's resolution that the bureau of development services in cooperation with the other bureaus and so forth establish a stakeholder engagement process to extend and evaluate ordinance 187675. Obviously, we haven't had a chance to look at the most recent version, but it sounds like it's probably an improvement, at least, cross fingers. The downtown neighborhood association would request to be notified when the stake holder group or groups, whatever they may be is established. We would very much like to be included in the process. Specifically we approve recommendations from planning and sustainability commission and urban forestry commission to evaluate the affects of

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extending title 11 requirements regarding preservation of certain trees in development situations, excluding some zoning that is especially cx from tree preservation requirements and reducing the tree size threshold to cover smaller trees which we support. As others have already mentioned every bit of greenery contributes to the residents physical and emotional health, especially in the downtown area that we represent. Most of which is zoned cx, and this is despite the 15,000 plus people who live here and of course, the thousands of employees coming here daily and the large amount of development going on downtown. so we hope that these things will be taken into good consideration in the process. And thank you for your consideration.

Wheeler: Thank you. We appreciate it. Good morning.

Catherine Mushel: Good afternoon, mayor and commissioner eudaly and commissioner Fritz. I'm katherine mussel, and I live in southeast Portland, and I am speaking on behalf of trees for life Oregon. Let me start by taking a minute to acknowledge commissioner Fish's service. So we are here at this difficult moment for the city and for you, because the city urgently needs your leadership to defend the urban forest and thank you so much for taking it so seriously over the holiday break, with critical parties at an impasse and the earth rapidly calling in its debts we are here to ask you as city leaders to revise the timeline, which you have done. We are asking you to follow the lead of the organizers to see the city itself as the entity that must address funding and act for the common good in the face of federal inaction and obfuscation. We need you to act now, because for so many people, there will be no other better greener or cleaner space in which to make a life than the city itself. We are asking you that you shorten your draft timeline in four ways and thank you for doing it. We want the code overhauled before the end of the year, and we want a vote on three discrete code changes and I understand the legal issues that were raised here today. We want a vote on reducing it from 36 inches to 20 inches, because those 20 inch trees are going to be the trees of the future. And we want a vote on rescinding the exception for mitigation fees and on revising tree density standards in commercial and industrial zones. And we very much appreciate the clarification today on how those southernns will be dealt with. We know the federal government is still fund transportation infrastructure -- tree-lined streets. Think of the city without that transit mall. But we are also aware that fostering everyone's health and well-being by growing and maintaining green infrastructure block by block and lot by lot is up to us. It is up to you as our city leaders. We need you to stand with us and make the urban forest central to your decision going forward in every bureau. Please revise the timelines and we know you have done so with the sense of urgency that everyone in the city deserves, thank you.

Wheeler: Thank you. Next three please.

Moore-Love: The next four would like the come up together tessa norris, florence oakly and tasha graff.

Wheeler: And if someone wants to grab a chair you can slide that up. Thanks for being here. And the microphones slide around, so share them howenever it works.

Keya Grumbles, Portland Youth Council: My name is kaia.

Tessa Norris, Portland Youth Council: My name is tessa norris, and we wrote this with a fellow member. We're here on behalf of Portland youth council. We would like to begin with a quote from one of our colleagues. A member said at the last meeting regarding the climate crisis, quote, in a climate emergency, the environment must be valued over the economy. We have to act now to slow the earth's climate crisis. This might mean the economy suffers, but we have more no other choice. If the economy has to suffer to save the entire planet, we have to deal with that. End quote. This is one of the many reasons we support the exemption status for industrial and commercial land and commercial land developers in the Portland tree code. We have to put the climate first. We would like to thank you for giving us the opportunity to make comments on the draft resolution. We

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appreciate the changes that have been made to the resolution. Our recommendations are as follows. Number one, pcy would like to address the timeline that city council has given for tree code the city set for march 31, 2020. We will reluctantly accept this date. However, it is crucial that a vote should take place no later than june 8, 2020. Number two, we also urge the city to provide more outreach to stakeholders. This is directed to the stakeholders whose health and well-being is most impacted by the lack of trees in their lives. In the current resolution it is stated that the urban tree canopy requires protection and management for the health and safety of all people living in or visiting Portland. We want the city to provide a healthy atmosphere for all residents, and equal access to tree coverage is a crucial element that is needed to reduce heat islands and give equal access to health and comfort in the environment.

Teja Graf, Portland Youth Council: my name is tasha graff.

Florence Oakley, Portland Youth Council: And my name is florence oakly, and we are also here on behalf of Portland youth council. We have three more recommendations for the draft of the Portland tree code resolution to add to our list. They are as follows. First, pyc would like the council to vote on reducing critical tree size to 20 inches in diameter by september 1, 2020. We believe this to be crucial. Waiting an entire year to address this is not acceptable or wise. Although we don't want these trees cut at all, the higher mitigation fees would help pay for new trees in the city of Portland.

Grumbles: For our next recommendation, we would like to revisit an issue pyc brought up before. Until the industrial and commercial exemptions are voted on pyc would like a moratorium to ban industrial and commercial developers on cutting down more trees. This is especially relevant considering we are acting during a climate emergency. Finally, we felt the need to add another whereas clause into the resolution to highlight the inequity of the Portland tree canopy. It goes as follows. Whereas all people living in or visiting Portland do not have equal access to the protection and benefits of the urban tree canopy which impacts their ability to breathe healthy air, exercise, stay cool and pursue happiness, these people include children, houseless, elderly and those living in low-income areas, the city must take steps to meet with the most impacted communities. We would like to thank you for your time and this opportunity.

Wheeler: Thank you.

Fritz: Could you give me that language, please, because I like the whereas clause that meeting with stakeholders comes in the process. So the size of the tree, quicker than you asked for -- you're okay on that. The reason the mayor chose july rather than june, because we're busy with the budget in june, so we want to make sure that we have time and headspace to be able to -- in july rather than june, if that's okay,. But if you can get me that language.

Eudaly: As much as I like the idea of a moratorium, I did pursue that possibility and was told it's simply not legally defensible, unfortunately.

Wheeler: Thank you for being here.

Eudaly: And that certainly does not preclude you from letting the property owners and developers and companies that are pulling permits to take down trees know how you feel about that. I'm sorry I can't direct you to an easy place to get that information, but it is public record. And those permit requests go through bds. So if you want to talk to my office, I think we can find out a better, more direct route to that information.

Grumbles: Thank you.

Wheeler: Next three, please.

Moore-Love: Next three are jen zuckerman, albert kaufman, and bob sallinger.

Jan Zukerman: I changed listening to the youth also. But I would like to thank you for the opportunity to speak, and I would also like to thank the Portland youth climate council for spending all year pushing this forward. I'm one of their mentors. Sadly, I have to say time

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is not on our side. Our summers are getting hotter, and Portland is rated as one of the worst rated lands in the united states. We know cedars are dying. We've heard about that with the downtown, and there's a growing disparity between the tree canopy in higher income and lower income neighborhoods in Portland. Trees are a life force. They perform functions that are vital to our survival, and yet we treat them like a commodity or nuisance. We have forgotten our connection to the natural world, and this has poisoned our minds and souls. it only takes a short walk in the woods to remind me that trees have an intrinsic value. As a teacher I have spent over 30 years connecting children with nature, because I believe that when we develop a love for our natural world, we naturally take care of each other better because we understand that there's something greater than ourselves. It's not radical to expect industry and commercial land holders to pay for permits to remove trees when we are expected to do the same. But we must radically change the way we interact with trees. Understandably, there might be analysis and legal review to remove the exemptions, but waiting until july, right after the holiday -- I understand about the budget, and I appreciate that, but a decision after the holiday for first proposal without a vote allows for many more trees to be cut down, and it is a big concern. And it's also difficult for youth to go find the developers and to try to stop them or talk to them. We have reached out to them and got no reply. So if you can help us lead the way with that. That would be great. But we feel like it isn't the youth's job to do that. You know, in this chamber, if we're burning down right now in our own fire, we wouldn't wait to put it out by investigating how it started or what it would cost to put it out, we would just put it out first. It's because of this that I do agree with the youth that there needs to be a hold while this decision is being made to stop industrial developers from removing more trees in this critical time. In regard to the reduction of critical tree size from 36 to 20, it's mind boggling to me that analysis and legal review needed to take a year and a half to complete without a day for the vote. Isn't protecting trees part of our resilience to climate change --

Fritz: Excuse me, we changed that.

Zukerman: I wanted to say the -- mayor wheeler, you said you needed to double down -- that we needed to double down in your proposal, and I think that we have to do that by getting to this sooner rather than later. And I really appreciate the work you're doing on this. Thank you.

Wheeler: Thanks for being with here again. Appreciate it.

Bob Sallinger: Good afternoon, mayor wheeler, commissioners. Thanks for having us testify today. First off, my condolences on commissioner Fish. I understand it adds a lot of workload. You've been working hard on it and we read it in this hearing, but from my perspective, it is responsive to the community's concerns that have been raised, and we really appreciate you're doing that. The timelines have been expedited significantly, and I think at this point from audubon's perspective we consider this a reasonable approach and really appreciate all the energy that's gone into it. We do have two technical suggestions, if you can make them, but we definitely encourage you to finalize this today regardless. We feel like it's time to move forward, get the ball rolling in terms of doing the work. But the two technical issues that we would raise are, one, you've already heard on industrial commercial lands issues, the sections are both on preservation and density, so it's important to make sure both of those exemptions are addressed. The second is a clarification. Your intent is pretty clear here, but when you say lowering the critical threshold from 36 to 20 inches, what you're talking about there is inch for inch mitigation. You're lowering the threshold from 36 to 20 inches, and that's in the second whereas be resolved. Again, I think it says what you mean to say, but those two things would make it clearer. Lastly, I would just note that I appreciate joe's testimony about goal nine in industrial lands, but I want to remind folks that the exemptions were put in place in 2011 pending doing the comprehensive plan and the economic opportunities analysis, which

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were completed in 2015 and '16. So the theory is the city has addressed those land issues through that process and should be ready to move forward. So I understand they need to look at that and make sure everything is aligned, but that should have been taken care of through that process. That was the whole reason for those exemptions and the delay. So I hope that is true. I would note that -- we tend to get hung up on going on whenever there's an environmental issue at play, but we don't get hung up on it that much when there's industrial uses. I tend to be the one that raises the issue. So it's when there's natural resource protections that are in play that we suddenly start to really worry about whether we have enough industrial land. We need to be more comprehensive in thinking about that, because we use -- so thank you again for your work on this.

Wheeler: Bob, are you referring to the bottom -- the page 2 of 3? So it would be -- there's the, therefore, it be resolved -- is it the third one you're referring to? So it starts with concurrently with the first proposal?

Sallinger: Yes, with the first proposal. So if you go down to reduction of the critical tree size threshold from 36 to 20 inches, just to clarify what you're trying to say is reduction of the critical tree size threshold for inch for inch for mitigation from 36 to 20 inches.

Wheeler: Very good. You have that covered.

Eudaly: Bob, I'm going to explain why we can't move forward with the analysis that was done in 2016. This is my understanding, because we can't dip below minimum level of industrial inventory, and if we consider removing the exemption as a constraint, which I think it's worth arguing that it's not, but that's how we're treating it right now, we now have to determine if this constraint would cause that dip. And that hasn't been done. That's what we have to do.

Sallinger: I agree with what you said, especially the first part, which I don't think it should be treated as a constraint. But I think we need to loop back and look at that, but again, the city was supposed to take care of that through that process, so I hope that capacity that was supposedly read still is there. If it's not, it's because we've converted industrial land and lost that capacity to do environmental protection.

Eudaly: No arguments from me.

Fritz: But just to clarify, you think we should vote on this today?

Sallinger: I would urge you to vote on it today. I feel like you have been responsive. I think the timelines are close enough, and I think you'll be good to move it forward.

Fritz: Thank you.

Sallinger: Yes.

Wheeler: Very good. Thank you.

Albert Kaufman: Good afternoon. I'm Albert and speaking for myself but I guess also speaking for the trees. I think -- I'm pretty much with everybody on voting on this today. Reducing the timelines certainly is what I'm hearing from all of my peers who care about trees who aren't here today, and we've already submitted testimony. Something -- Australia is definitely coming to mind right now, and the incredible disparity between what's happening there on the ground and what leadership is doing. I think there's a lot more that we can be doing beyond just the tree code as a city council, as a city. I think there's commentary that can be coming from the city to residents about trees and how important they are to us. I think there's things like the curbsider. There's all sorts of information that comes from the city council that could come out via next door and other ways that could be guiding Portlanders to be more aware of the value of trees. I've been working on the leaf blower issue, and you guys all decided to make an amendment and have the city stop using gas powered leaf blowers. Before that came, before you -- a lot of us have been working in the city, around the city to educate our fellow Portlanders about the issue. And I think from the time I started pushing on that issue, because about four years ago until now, I wake up in the morning and I wake up more frequently not hearing gas powered leaf

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blowers anymore, and it's partly my work and other citizens around town, but it's also partly a wave that's happening. And I think the city can really help in this case not just by working on title 11, but also sending word out to the city and its residents that trees are important. So I think this is all beautiful. I'm excited to work and have things actually move at the pace of a tree growing -- title 11 is moving forward. But I do think there are other things the city can be doing to get the word out to people beyond just doing this work. So I would appreciate hearing your messages. You can all dress up as loraxes because obviously this type of effort takes a little longer. Thank you very much.

Zukerman: I think that's something the youth would work with you on, making that video.

Eudaly: I thought you meant the lorax costume. I want to sympathize with you, albert. We are definitely moving at different geological speed inside city hall and outside.

Kaufman: Right, and the climate is unfortunately moving at a different speed, so let's catch up.

Wheeler: Next three, please.

Moore-Love: Dawn smallman, ted layby, and a gentleman who wanted to speak that didn't get to sign up.

Wheeler: Was there -- there was a young man from the youth council who wanted to speak?

Moore-Love: Do you still want to speak? I don't have his name. You don't want to speak? Okay.

Wheeler: Thanks. Good afternoon.

Dawn Smallman: Hi. My name is dawn smallman. Thank you very much for allowing public testimony, and i'm appreciative of you taking feedback from the community and moving the dates forward in response to that feedback. I saw the revised resolution and that felt really good to know you're being so responsive over the holiday and all that. I appreciate it. I would like to echo the Portland youth climate council's suggestions about the additional equity language. I was glad to see some equity language was put into the most recent draft. I would like to also urge you to start using the "phrase best available science" in your language. "best available science" should be used in every single environmental policy resolution proposal, comment that the city puts out because what it does is it gets you to take the politics out of it and gets you the take the donors out of it. It obligates you to take the questions about who's donating to whose campaigns out of it. Best available science obligation to be dealing with climate issues the way we need to deal with them now based on the best available science. So thank you for considering adding that language in. I think that language is going to be important when we get to the title cold review. I urge you to vote today, not in february. I would also like to urge you to put a voting date in in removing the exemptions on commercial and other zoned properties, but I would like you to add a date in. I'm doing a quick reading of this of the dates in there.

Fritz: When they come back on july 7.

Smallman: Fantastic. I appreciate that. I'm also disappointed to hear that a moratorium is not defensible. I would hate to see this whole thing get tied up in some kind of legal issue, so I understand you're not putting it in there, but at some point, unless it would be worth testing that legally --

Eudaly: I floated that idea.

Smallman: I would also like to make a comment about the stakeholders. We often talk about stakeholders, and I think it's true if you control the process, you control the outcome. I've been involved with this for decades, and I believe that you can control the process to control the outcome, and a lot of that is who those stakeholders are. When it comes time to say who those stakeholders are, I hope we include that equity mission as a huge part of the stakeholders. And I would also like to say while there's a group of people trying to save the three largest redwoods in the city, the developer who wanted to cut them down and

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held the neighborhood hostage to sell the land back at a huge increase in price in order to save the trees -- vick webbers was the stakeholder who sat on the urban forestry commission at that time. So we need to -- or advised the forestry commission at that point. I see you nodding now. So I want to say that when you're choosing stakeholders I echo the comment that the economy has to take a second seat to the environment right now. And so I think when you're choosing stakeholders and it's going to come around to choosing -- maybe what we need to be looking for is the outburst voices who become the arborists, not the ones who make the most money from cutting our city canopy.

Wheeler: Very good.

Ted Labbe: Good afternoon, council. Thank you for your service. Thanks for finally addressing these outstanding concerns with the tree code. I very much appreciate it. I was dismayed with the original versions of the resolution that talked about a longer time frame. I also feel like I can live with six months for both issues returning to council so I thank you for being responsive to the really huge outpouring of requests around that. So that gives me hope that we still have a council that is responsive to the people. I just want to pick up on a couple earlier themes and finish with a historical note. I think any time you have a city attorney tell you you cannot implement a moratorium on tree cutting you need to push back on that. I would encourage you to take a second look. I think the youth coalition has made a wonderful suggestion. There's urgency here. There's going to be a lot lot of trees coming down in our commercial lands in the next six months. This is a stopgap measure. Please take a second look as an option. Bruce earlier talked about trees and I love that but I want to say trees are not just an amenity. They are essential public infrastructure that the city helps homeowners, property owners manage actively in the right of way and on city properties. I sort of understand joe zender's explanation. I don't understand why it has to take so long given what bob spoke to earlier. I would encourage you to vote on it today. I think you heard public testimony around christmas around sunset. I think there's been ample opportunity for the public to comment. There's going to be more opportunity for the public to be engaged going forward. I urge you to vote today. I want to finish up with a historical perspective. I worked with a tree historian, and others. We looked back at street tree inventories the city had from 1938, 1976 and the most recent work angie did. It tells an interesting story. When I get impatient about updating the tree code I go to history. It tells me, sometimes things take a while, but it's very interesting you can look at this later, basically it shows we have more stocking of trees in the city now than ever before, greater diversity of trees, species and families than ever before. It shows we're logging large form trees city-wide, then we are planting small trees in place of a large or medium tree. This should add urgency to the big look at the tree code and how we're incentivizing tree planting, tree maintenance in the city. I have used my time. I'll leave this with you to look at it if you're interested in tree history.

Fritz: Put your name into the record.

Ted Labbe: Ted labby.

Wheeler: Karla, does that complete public testimony?

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

Wheeler: Commissioner Fritz.

Fritz: I have been compiling amendments requested so I would like to just run through them all if anyone wants to pull any of them out otherwise we could spare Karla and vote as a package. I do think it's really important to do this today to show that there's urgency to this. We did have hearings before christmas. We have been talking about this for a long time and we want staff to get going on bringing something back in july when there will be more time.

Eudaly: So it was my understanding that we weren't going to vote today although I do not understand why we weren't going to vote today. I would like to vote. I really want to

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celebrate this moment in chambers with many of the advocates who are here but we have gotten a request from commissioner Hardesty to hold off the vote, so I'm very torn. Could we come back next week given that we have all these amendments, or --

Fritz: These are just in response to testimony. These people have already come twice, three times.

Eudaly: I'm not going to belabor the issue. I just wanted to make that statement. What is the preference of my colleagues?

Fritz: Let me make my amendments and if there's anything that's controversial, the first is in response to the use at the whereas, whereas all people living in or visiting Portland do not have equal access to the tree canopy which impacts their ability to breathe healthy air, exercise and stay cool. This includes children, houseless, elderly and those in low income areas.

Eudaly: I second that.

Fritz: Now be it resolved that the bureau of development services in coordination with Portland parks and recreation and planning and sustainability shall conduct engagement in development situations based on best available science.

Eudaly: I'll second that as well and I will also say I kind of have grown to hate the term stakeholder. Maybe we could come up with something -- not for this, but for this it's fine.

Fritz: Okay. I share your concern. The next is be it further resolved underneath that to say that the bureaus shall connect technical analysis and coordinate legal review to develop analysis address the exemption from preservation and density regulations in the zone specified.

Eudaly: Second.

Fritz: Next resolved be it further resolved that the bureau shall prepare a proposal including evaluating reduction of critical tree size for inch for inch mitigation from 36 to 20 inches.

Eudaly: Second.

Fritz: The next one is in response to the use. Be it further resolved that the second be it further resolved on page 3, bds and Portland parks and recreation shall bring a scope for council review no later than December 7, 2020 including specific steps to include most impacted communities in the testimony.

Eudaly: Second.

Fritz: We're supposed to say whether resolutions are binding or not binding city policy. Be it further resolved the directives are binding city policy.

Eudaly: Second.

Wheeler: Could we take a two-minute recess and I just want to confirm with staff that I believe I can support each of those amendments wholeheartedly. We'll take a three-minute recess, please.

Wheeler: In session. Thank you, everyone. Commissioner Fritz, you had a slight rewording of one.

Fritz: It's fine.

Wheeler: Good. It's my understanding that the decision is to go. [shouting]

Wheeler: Very good. With that Karla, please call the roll on the resolution as amended. I'm sorry, we have to put the amendments on the table. Let's put them on as a package. We have a motion, a second for the package. Call the roll on the package of amendments, please.

Fritz: Thank you for your input. This has made it better. Aye.

Eudaly: Same. Thank you for your input. It's just a really great example of how we can all do better work when we work together. Aye.

Wheeler: Good package of amendments, very thoughtful. Thank you. I vote aye. The package is on the table. To the main motion as amended.

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Fritz: I felt really that we should vote today. I appreciate the time you have put in coming back again and again and again on this and didn't want to have to ask you to do it again. The other reason was this council has worked really hard to come to consensus on this and on the day where we honored commissioner nick Fish it's partly in his legacy that I wanted to vote to show there were disagreements back and forth and we got to something we can all agree on. There will be further opportunities for our colleague commissioner hardesty to weigh in on this as we move forward because we're now setting in process a project that will have multiple times of coming back to be voted on. So i'm really glad that we're voting today. Thank you for your leadership on this. Thank you for your staff. Absolutely fantastic in making the changes, reflecting your urgency. Not only to do this as quickly as possible but as legally as possible so that it sticks. I think we all agree with that. While we would like to do it faster, I think this is the quickest it can be done. I appreciate the staff and the bureaus being willing to knuckle down and hire whoever is necessary, do whatever is necessary. Particularly I appreciate you being in charge of all three bureaus directing your staff that this is a council priority and needs to happen. I really honor that you have taken the lead on that. Thank you to cynthia and tim on my staff, jamey on commissioner eudaly's staff. To commissioner eudaly, who threw the cat in the pigeons by saying let's just do away with the exemption. Really got us going to do more faster to work with your colleagues to come to something that you're comfortable with. I very much appreciate that. Thank you to the staff in parks. I have been on this for a really long time. It's been -- I can't remember the number of times we have put together packages to come back with amendments on the tree code that have not been able to be funded. This year I think it's going to be. Thank you to the urban forestry commission who hung in there and gave us wonderful advice. Thank you to the planning and sustainability commission. Let's get this done. Aye.

Eudaly: I echo all of commissioner Fritz's comments. I think we have come up with the best plan that we can given the constraints that we must work within that this is a reasonable timeline both reflecting the urgency of the issue but also the reality of the work that has to be done and the capacity of the bureau. I believe it's legally defensible. I want to thank my colleagues for all hustling on this and the community like I said. I'm just going to take a quick moment to respond to something brought up about the division transit project which is in my portfolio in pbot. We just got \$87.5 million from the federal government to complete this project. It will reduce travel times on our buses by 20%, making buses 15 miles from Portland to gresham a much more viable option for people, for commuters. It will have buses running every 12 minutes or more during peak hours. It will include shelters that include amenities such as weather protection and include trees. Trees all along the project. I vote aye.

Fritz: It's never good when the mayor and council clerk and the attorney are talking to each other when the mayor should be right here voting.

Wheeler: It's nothing serious. [laughter] I get nervous when I see legal counsel and the clerk conferring and I run over there and everyone really panics. Commissioner Fritz, legal council wants to make sure we clarify the word change in that last amendment during the break.

Fritz: I didn't change it. We decided that it's fine the way I said it. I will email council clerk with all my amendments and changes so you can add that. Thank you, though. To clarify the question was is regulation and standard the same thing. I said regulation and they are standards but standards are regulations. We think we're good.

Eudaly: I would like to specifically thank commissioner Fritz for capturing all those amendments. It's been a really long, hard day. This is a wonderful way to end it. I couldn't have done that, so thank you.

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Wheeler: This was like the distinction between boot and trunk. Well, I won't belabor this. I want to thank everybody for your testimony and particularly thank my colleagues, commissioner eudaly and commissioner Fritz, and their very incredible teams for all the hard work they have put in. I want to thank sam diaz, sam, I want to personally embarrass you. Sam does fantastic work on behalf of my team on a whole host of issues regarding climate action planning, preservation and protection and I feel privileged to have you on my team, sam. I do want to thank the bureaus. The bureaus that are involved here are already very overloaded with a lot of work, and I appreciate the grace and the class with which you worked on this particularly over the holidays to help make this happen. It's duly noted and greatly appreciated. So thank you. I vote aye. The resolution is adopted as amended and we're adjourned. [cheers and applause]

Council adjourned at 5:21 p.m.

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Key: *** means unidentified speaker.**

January 9, 2020 2:00 p.m.

Wheeler: Good afternoon. This is the thursday, january 9, 2020 afternoon session of the Portland city council. Good afternoon, Karla. Please call the roll.

Moore-Love: Good afternoon.

Fritz: Here. **Hardesty:** Here. **Eudaly:** Here. **Wheeler:** Here.

Wheeler: We'll get the rules from the city attorney. Good afternoon.

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

Wheeler: Item 24, please.

Item 24.

Wheeler: Thank you. Commissioner eudaly.

Eudaly: Thank you, mayor. Good afternoon, everyone. Before we begin I want to briefly explain what we're doing today and what we'll be doing moving forward. As you know we held a special evening council session thursday. Since we didn't have time to hear from everyone who signed up at that session we scheduled a second session to hear remaining testimony. So today we will only hear from those people who previously signed up. There will not be a vote on the resolution today. We will accept written testimony through the end of the week, so please if you want to submit written testimony in person to the council clearing you have to do that on friday. Otherwise you can submit via email through sunday, january 12. In july of 2018 city council instructed civic life to begin the process of updating city code chapter 3.96 to define the functions and responsibilities of the office of community and civic life. This has been a long and challenging process for all of us. Although the process moving forward looks different from the original plan i'm pleased so many Portlanders have affirmed that we must commit to more equitable civic policies and practices. This addresses two of the key questions raised thus far. While this was only

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about chapter and code governing civic life that chapter outlines how other bureaus engage with recognized organizations. Committee 3.96s proposal would have kept those practices in place until or unless bureaus decided to review and update them. Now civic life will convene a multibureau work group to make a plan for addressing these cross-referenced responsibilities together. Second, parallel to the code change conversation, civic life has been engaging district coalition offices whose contracts are set to expire in June 2020 about what their role, responsibilities and outcomes should be. The proposed three-year extension in this will allow us to thoughtfully examine the current structure and work with community to develop recommendations for improvements to better serve all Portlanders. My office has councils of the resolution and timeline for the steps outlined by the resolution so please feel free to stop by for a copy if you would like one. The process thus far represents a significant step forward for a bureau that has grappled with how to promote more inclusive practices. I appreciate the work and time of all who have engaged in and contributed to this process so far and look forward to working together on the next steps. Now we'll just move on to testimony.

Wheeler: Three minutes each, please. If you could state your name for the record. These are pretty sensitive microphones, they slide around, and we find about six inches away from the microphone is best. So we welcome you. We thank you for coming in today. We appreciate the fact that you have now come twice. So we'll listen extra carefully to your testimony today so thank you. Karla, please read the first names, please.

Moore-Love: I show ten people have signed up from the previous time. If you did not check your name off, please let me know you are here. I'll start with the first three.

Wheeler: Thank you and welcome. Would you like to start, please?

Chelsea Powers: Sure. I'm Chelsea Powers, chair of the Brentwood Darlington neighborhood association. Mayor, commissioners, thank you for this time to speak. I'm here to give my personal testimony regarding code change 3.96. At the November 14 code change 3.96 meeting I submitted a written statement outlining my concerns. Unfortunately little has been done to reassure me that I have been heard not just as a neighborhood association volunteer but as a Portlander especially since I only heard about this meeting was word of mouth. Even the city's zone code change website makes no mention of the continued testimony today. Could reiterate my concerns but that would be a waste of our time. The positive things that have come from this process because it shows how much for what the next could achieve. This is highlighted to neighborhood associations where we are lacking. Something not clearly communicated before. It is illustrated how other organizations, groups and individuals interact with government all the ways in which civic life has not been fulfilling their goals. Looking for ways to make them more inclusive for everyone. We have risen to the challenge forming partnerships and working across neighborhood borders for a common cause. Listening to the testimony of those in support of code change gave me pieces to the puzzle of how to better include and advocate for my neighbors. I truly wish that neighborhood associations had been invited as collaborators in this process from the beginning. Civic life has produced a vision that we should all strive to meet but throughout the process have shown inability to communicate at the level legally required by the city of Portland and manage a project of this scope effectively and appropriately. I hope that the next phase of a project of this magnitude will be placed with the bureau better equipped to do larger scale outreach using multiple modes of communication not just digital. I ask that you add wording to the resolution stating funding will not be eliminated or weakened and I challenge those in charge of the next phase to do better in engaging with less than 1% of Portlanders. Neighborhood associations want to be part of making Portland a city where everyone has a voice but we can't do that if you silence us. Thank you.

Wheeler: Thank you. Good afternoon.

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John Laursen: Good afternoon. Mayor, commissioners, i'm john larsen. I'm a long time board member of the mt. Tabor neighborhood association and i'm here in that capacity. I thank you for the opportunity to speak with you about this very important topic. I'm here to urge you to make very certain with precise wording in the final resolution that the process will be open, transparent and accountable and that the work group will follow city and state rules for open meetings and records. I know that all of you have heard a great deal over the last several months about the disturbing flaws in the proposed change to code section 3.96 that emerged from the process set in motion by city council resolution 37373. I firmly believe that that earlier resolution was passed by council with the best of intentions. I won't belabor this, but we now know they were only partly realized. Many of you spoke to those at the time that the resolution was paused. Mayor wheeler, you in particular stated it very clearly when you said, my reading of the resolution is that it does not come at the expense of others. It to me is a more expansive vision of civic participation, inclusivity and democracy in our city. There is no way I can read this resolution as being anything other than a both/and solution as opposed to an either/or solution. That expanse of vision was and continues to be entirely laudable and I would hope the goals would be shared by everyone in this room. Sadly as you know that vision was not realized. Instead the process and the way that it was conducted have led to extraordinary and I would add wholly unnecessary divisions within the Portland community. We respectfully ask, therefore, that this time around council's goals for this new process be made explicit in the be it resolved portion of the new resolution. First, by including be it resolved that the process authorized by this resolution will be completely open and transparent and will be conducted in full accordance with the public involvement principles as adopted august 4, 2010. Further, be it resolved that this process is intended to increase opportunities for access to and participation in city government by strengthening both the system of neighborhood associations and a broad array of diverse community groups as envisioned in the 2016 auditor's report and the 2008 community connect report. Including such precise language within the resolution itself about what council intends for both the process and the goal would go a long way toward avoiding the misalignment between aspiration and product that has resulted in the current situation. Thank you very much.

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

Will Fuller: I'm will fuller. Thank you for having our testimony. I'm here on behalf of myself but i'm an active member of Multnomah neighborhood and have been for many years. I value the neighborhood system highly. I also support this resolution. It continues the needed work of including all Portlanders in civic engagement and provides time to do it right. I wasn't going to testify today. You already have my written testimony about chapter 3.96, not naming organizations, but after nick Fish's tragic death I want to call out in honor of that fine, competent public servant who cared sincerely and deeply about bringing people together for meaningful agreement on serious issues. I want to call for three actions on that behalf. First, I call on neighborhoods and the office of civic life to work together, not apart, to craft innovative, flexible, inclusive policies and procedures for civic engagement. Second, I call on the city to continue to broaden civic engagement to all Portlanders by other means. Build on the good work that's done so far by the office of community and civic life, but don't use the resolutions through your timeline to delay action. Finally, I call on my fellow neighborhood activists to not just defend the neighborhood system but work to improve it. Our neighborhood associations need to become more representative and it's up to us caring, dedicated neighbors to make that happen. Finally, and with the proposed resolution, Portland has an opportunity to do it right. Seize that opportunity. Pass the resolution. Let's get to work on further changes and better, more inclusive community engagement by all Portlanders. Thank you.

Wheeler: Thank you. Thanks all three of you.

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Eudaly: Were you a radio announcer in a past life?

Will Fuller: No. Thanks.

Eudaly: I want to apologize to anyone who felt they did not have proper notice. Announcements were sent out in two civic life updates. Also the date was pushed out by neighborhood groups on their google group and everyone who left their contact info on the sign up sheet was directly contacted, so we did our best to get the word out.

Wheeler: Next three, please. Good afternoon. It's a pleasant experience to be this collegial for a moment.

Wheeler: It's always like that here. What are you referring to? [laughter]

Marty Slapikas: I read about that collegiality all the time. I'm marty sepakis, vice chair of the hayden neighborhood network. I sent in testimony regarding liveability and the volunteerism of the neighborhood associations and I accompanied that with a document that contained 24 major issues. It's a living document for us on what we do for hayden island and liveability issues. They concern not just Portland but state issues and in some cases it's getting to be national issues because of the interstate bridge aspect. Today I sent you or tried to send you my markup of the resolution, proposed resolution that commissioner eudaly has submitted. I'm not going to talk about that today because it's too detailed. I think it deserves some time. I tried to get it to you earlier. It was unsuccessful. I want to offer a few comments on something. The point about neighborhood liveability containing guidelines for standards of district coalitions and other groups it covers and it also highlights the benefits and responsibilities that go with that framework. Sets out the functions of responsibilities of civic life. It helps neighborhoods effectively together participate and honor on an equal status with city council and the other bureaus. Civic life has stated that there's people that want to add formal recognition of community-based organizations, however in their mission statement one portion says all the code change committee, all community groups should have access to benefits outlined in the standards. However, they went on to state that voluntary guidelines are helpful to civic engagement and voluntary is what bothers me. Apparently this is a seat at the table request and implies there's no standards for inclusion to the table. Now, my comments are based on my experience in alaska in 1971 with the alaska native claim settlement act. They received during that period of time up to 44 million acres of land and were paid \$963 million for settlement to put the alaska pipeline into existence. 12 regional corporations were formed and corresponding native villages were also part of would you say neighborhood associations. If you went into research you find that the neighborhood associations could possibly own their liveability. Back to Portland civic life realizes Portland is to support everyone. Everyone a seat at the table without requiring adherence to guidelines, transparency, invites chaos at the table. Furthermore not requiring those who wish a seat at the table to meet those standards is doing them I believe a disservice. Those cpos judged to be less likely to meet standards generally face less demanding and strong demands to meet those standards. By even considering the very group that civic life is trying to help they are really not, they are ignoring it. We're not dividing our community, we're trying to build our community.

Wheeler: Thank you, sir. You sent an email?

Marty Slapikas: Yes. I tried. The service was disregarded. We're still working on. That.

Wheeler: Thank you, sir. Good afternoon.

Diane Drum: Hi. Thank you for being here. I'm sorry, mr. Fish is not with us today. I'm glad that each of you is. My name is diane drum. I live in southwest corner of irvington, a corner that has low-income housing and relatively affordable rentals. My neighborhood association exists and works in solidarity with my neighbors who are low income, people of color, seniors and people with disabilities. I do not want to lose that neighborhood resource. In the spring of 2018, my low income neighbors told me about serious issues

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that threatened their basic safety. I arranged meetings with home forward, who thanks for their building, and Jamey Duhamel in Chloe Eudaly's office. Letters were sent to all commissioners except Ms. Hardesty because you were not yet serving. The responses varied from tepid to dismissive. One of the tenants suggested that we go to the Irvington neighborhood association which has a long history of support of Doc E. We had easy access because every address receives a quarterly update. All board members are easy to contact, all meetings are open, anyone can attend and place something on the agenda and any neighbor can run for the board. The association was concerned and welcomed me and my neighbors with the association support agencies became more responsive and significant improvements were made. The board of the Irvington community association may not currently but they welcomed and supported their low income neighbors, many of whom are people of color, 100%. I'm concerned can claim to represent a constituency but there are no stated requirements for democratic structures such as the ones that govern neighborhood associations. As a community health nurse for 29 years who worked in 27 different languages, I worked with many of the organizations involved in the code change process or with clients who were served by those organizations. Some nonprofits and community organizations are wonderful but they are not necessarily grass roots democratic. Some of them are nonprofit socially motivated businesses. Many receive public funding. I have seen situations where an organization did not challenge misplaced county policy because they did not want to jeopardize future funding. I have worked with clients who are deeply dissatisfied with the decision of that organization such as that that didn't want to say anything for fear of losing services. It seems to me the participation advocacy we claim to seek with these code changes will not occur if democratic structural requirements are not clearly stated. Designated groups and officials could exist in an echo chamber to reinforce priorities their communities do not really support. I'm flabbergasted that all the great concepts terminated in a structure in which one appointed person in a government bureaucracy would have written the rules to determine to whom the county listens. I have one more paragraph.

Wheeler: Can you summarize for us?

Diane Drum: The code change process, perhaps well intentioned, was an example of democracy by invitation only, an example of name calling and divisiveness against activists who raised concerns. It will be difficult to undo the damage that was done. In a large city with no district representation we need geographic empowerment. It's important that the multibureau work group process be open and transparent. The resolution statement should state it's not the intent of the process to weaken or eliminate neighborhood associations or coalitions. [audio not understandable] good afternoon.

Robert Schultz: I'm Robert Schultz. Single full-time father of three from Lents. I'm on the Lents neighborhood association as a public safety chair though I'm embarrassed to say I don't do as much as I should probably for holding that. I have met several of you. You come to Lents. I appreciate that. That's cool. You've heard from a lot of people that probably say pros and cons better than I, but I'll share my experience. I believe civic life should be embracing it instead of we're going to listen to some but not have it listed who. I have a son that went through leukemia treatment from five to basically nine, for four years, and during that time Naia Generations proposed a project with Portland public schools and put it right next to where I live. I woke up to this as we left the fog. My son is great. I was, how did this get to be here? It turns out my neighborhood association advocated for this placement of this program that was not well vetted and has now since delivered a history of not delivering on its promise to help poor people, especially from the native community. They proposed a cultural center that they don't even have a budget proposal on and there's no real meaningful accountability. My neighborhood association can provide some of that accountability and that's why I believe the neighborhood association, though they

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have their faults, and I have seen them because this group that was head of the neighborhood association was not really engaging our community in a meaningful way. As I got into the neighborhood association using public meeting laws to record what was happening and broadcast it on youtube to anyone who cared it became clear that these folks were more invested in what they wanted rather than what the community wanted and I would note that is a hazard of the neighborhood association system as well as a hazard of community and civic life's role in that system and the coalition office because we brought that, the folks that cared enough, to them and said this is not us. We need more training. We need investment by you guys and we got false promises for change, very modest training that didn't do anything to facilitate our community engaging our larger community. The ones that really care wanting training asking for help and support didn't get that. What I would like to see is community and civic life offering training of building the community from the government side. You employ people at a high rate that have the skills that could lend themselves to these efforts yet don't. They are even charged to. I have been to the oni meetings back in the day where they talked about how six months of their year is planning the budget for next year and I was shocked at the the poor use of time and dollars from the city. I met with mayor haes, he was our guest for the leukemia lymphoma society. He mentioned our neighborhood association system is prized and valued yet in our city we have people that say it's horrible. If it's horrible it's a lack of investment from civic life and from the community and it can change if we help change it.

Wheeler: Thanks all three of you. Appreciate it very much.

Hardesty: We'll see you in two weeks in lents? Thanks for coming.

Wheeler: Thank you. Next three, please.

Wheeler: Thanks for being here. Welcome. Would you like to start?

Robert Seals: I'm robert seals. I don't know how this goes. I live in doaky manor. Just going by what I know. Neighborhood association has helped us get security in our building and they built the patio in the back and put care for the people -- it's a nine-story building so there's a lot of elderly, handicapped people, and they are just continuing to help us continue because things were getting really bad about a year ago. Then we got security, it's getting better. I just wanted to say that they are helping us, they are still helping us today. They are going to continue helping us. Cut it short, we couldn't be where we are now without their help.

Wheeler: Thank you. We appreciate that.

Hardesty: Which neighborhood association is that?

Sea: Irvington community association, the neighborhood association.

Hardesty: Thank you.

Wheeler: We'll make sure that gets passed along. Good afternoon.

Jessica Rojas: Good afternoon, council, mayor, thank you for this time. I have waited months, maybe element two years to address you personally on behalf of the northeast coalition neighborhoods and the work that I do and the work that we do together. As you know the northeast coalition neighborhoods, we serve 12 neighborhoods in northeast Portland and at my time there I would say neighborhood associations are probably about 20 to 25% of the work that I do. I remember a time when I was fearful that somebody would read our reports, actually read our reports, and be concerned that we were doing scope creek because we were doing outreach to faith organizations, we were working with environmental organizations, that I was meeting with every grass roots entity that walked in our door. In december I did three weeks seven days a week. This week will also be another seven day a week one. I'm the only member that doesn't have children. I rent a room in the community that I grew up in. I have been in northeast Portland since 1978. My community is not a stepping stone in my career by any means. I take this work very serious. I'm at meetings from early in the morning until late at night. On the weekend we

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open up our space so other community organizations can use our space. We house on site entities such as good in the 'hood, grow Portland which serves 12 schools in east Portland and I'm board chair and my organization supports me. I serve on several hiring committees, grant committees, every committee you can ask for, volunteer. I would like more support for our organization to continue to do this work because I know that we could improve but I know that we cannot open the door and ask people, especially people of color, to work for free, underpaid nonprofit organization. 6.475 million is a number I have written on my hand. That's the fte at the office of civic life. I would suggest one thing I do believe is we need to build community capacity and understanding to do land use advocacy work. I have been doing that on the lay level, air toxics, water quality, housing, houseless, zoning, but we need help continuing to build capacity and be able to take some of this money and translate it to stipends so people can learn and people have the time. I don't see the most vulnerable in my community participating if it doesn't sit in their terrain during the day. I'll continue with the letter because it's intimidating being here holding my thoughts. I appreciate this. I waited a long time.

Fritz: Could I ask you for a -- thank you for your work. How long have you been with the coalition?

Rojas: Three and a half years.

Fritz: Have you had cost of living increases over that time?

Rojas: No. I believe my executive director took a cut in pay from what the previous director received and that was never restored.

Fritz: The proposed resolution has a three-year extension to the coalition contracts. What do you think about that?

Rojas: I do think it would be very useful. There's good opportunity in this inner bureau work group. We definitely need a lifeline to the other bureaus, especially the ratepaying bureaus. They are not positioned well to do community engagement in that way. We fill in the blanks quite a bit.

Fritz: Thank you.

Hardesty: What do you mean -- actually I don't agree with you at all. Some bureaus were able to generate their own money, do an excellent job of community outreach, so please explain that statement.

Rojas: I used to be an intern at the bureau of environmental services, the community watershed stewardship program. It's my understanding for them as a ratepaying bureau anything that doesn't relate to sinking water in the ground if you don't use those funds correctly or in a way that reflects the utility aspect of it, so bds, I could use a lifeline in the bds, better lifeline in the bds. A lot of the land use aspect of that. Forgive me for over generalizing. I also serve on the metro's natural areas equity work group, a government agency that gives -- that pays for our time. They respect what we say and I see it translated in the outcome and in print.

Hardesty: I have been advocating for paid volunteer boards and commissions for at least the last decade here at the city of Portland. There's just no way to get low income community members to invest time and energy if we're not removing barriers for them to be able to participate, but I did not want that to be on the record that somehow without the office of civic life that city bureaus that are not experts at doing community engagement because I have seen many of these do excellent jobs with or without office of civic life.

Rojas: I just would say I would like to strengthen that. That's all. Thank you.

Wheeler: Thank you. Good testimony. Good afternoon.

Colleen Shoemaker: Good afternoon. Thank you, council, for this opportunity to speak today. I'm colleen shoemaker speaking on behalf of the arlington heights neighborhood association. First I wish to express my deep sorrow at the death of commissioner nick Fish. My sympathy to you, his colleagues, his family, staff, and friends who must most

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personally feel his absence. Commissioner Fish touched all Portlanders through his dedication to the welfare of our city and we are all diminished by and grieve his passing. So thank you for taking the time to hear our concerns today in a very difficult week. Arlington heights neighborhood association asks council to reject the resolution to establish a multibureau working group to continue revision of code 396. We support the goals of code revision to provide greater access to government for more diverse and representative groups in Portland. We agree that code 3.96 needs revision. But the 2019 draft still needs work, and a multibureau working group as described in the resolution and given the powers described there is not the correct solution and could compound flaws in the draft. Now, you've heard criticisms of the process and the content of the code's 29 draft so i'm not going to enumerate those here. This resolution that you're considering now calls for closed and exclusive process for this next and what could be the final phase of code 3.96 revision if i'm reading it accurately. Unless the multibureau work group recommends it, no public participation or input is specifically required according to the resolution. The work group under occl's direction can have the last word on the code. This resolution is fatally flawed because it could exclude the public from a process intended to better include it. It does not mandate sufficient accountability, transparency, or inclusion in order to prevent bias in the process or result. So we ask you to reject this resolution in its current form and have submitted a letter to this effect approved by our board and we ask council to approve continued funding for the neighborhood coalitions for at least three, we would prefer five years, but no other feature of this resolution. We hope council will consider other options for continuing the process of revising 3.96 and I thank you for this opportunity to speak.

Wheeler: Appreciate you being here. Thank all three of you.

Eudaly: Mayor, if I could clarify I think there's a misunderstanding, the multibureau work group is to dig into the bureau codes and see how code change impacts all the cross referenced code. In november 2020 there will be a work session with findings from the review of cross reference bureau responsibilities, recommendations for phase 2 engagement plan, which is the external public engagement plan, and recommendations for timing and work needed. So there absolutely won't be decisions made until there's a second round of public process.

Wheeler: Thank you, commissioner eudaly, for clarifying that. The wording in the resolution is not clear as to what the community engagement plan actually is supposed to do. So that goes back to the point that the wording needs even in this resolution to be clarified. Thank you.

Eudaly: Thank you.

Wheeler: You may not be able to answer on behalf of your coalition on the fly, but with the clarification that commissioner eudaly just made, assuming the that the language was very explicit, that there will be a robust community engagement process, would that allay your fears?

Shoemaker: Perhaps. I echo what you've heard from others today as well, specific language, specific requirements outlining all further steps that you anticipate for completing the code 3.96 process would be preferable. This appears to be a single step, but I as a citizen and resident want to know what all your future steps are i'm afraid.

Wheeler: That makes sense. I have had the benefit of several conversations with commissioner eudaly and i'm hearing the concerns expressed here as well as during the previous public hearing. I believe that commissioner eudaly's intentions do address the concerns being expressed, but perhaps the language can be clarified. The requirements could be made more explicit. It might help people come on board with this next phase of a multiphase process that will include public engagement. I will not support any final code revision without it.

Shoemaker: Thank you.

Eudaly: Mayor, just to be clear there are two be it further resolved sections that specifically refer to the second round of engagement. We can't give you the specifics of what that will look like because that's part of what the multibureau group will be bringing back and council will be passing or not passing in november.

Wheeler: That would in and of itself have an engagement process.

Eudaly: Yes. There's absolutely a series of public engagement opportunities.

Fritz: You didn't in the next steps, when does council get to propose amendments to the resolution and when will revote on it?

Eudaly: We have -- I wasn't anticipating further amendments. We have bent over backwards to accommodate both sides, all of the offices, and we have a date I think -- late january.

Fritz: I will have amendments. And we've heard a lot of testimony asking for amendments to clarify things, even the concept of which bureau is going to run -- is there going to be a multibureau group, what is it going to do, there's a lot of questions, so I would like us to build in a session where we can offer amendments and have discussion.

Wheeler: Commissioner hardesty.

Hardesty: Thank you. I again as I mentioned at the last forum i'm very interested in seeing a timeline. I have not made a decision about extending the neighborhood association contract. I certainly have not made a decision to extend it for three years. I have seen no compelling argument as to why we would extend it for three years if we say we're working to actually change the process. I think that that's way too long if we're in the process of making changes happen. So I want more dialogue and conversation about both the extension and then what the timeline is for moving forward. Clearly we have heard loud and clear from neighborhood associations there are differences between the level of involvement that neighborhood associations have had and want to have, and so I do think that we have more work to do but i'm looking forward to working with commissioner eudaly to make sure we have a solid proposal that we're moving forward but it actually we need more information to know whether or not we're moving in the right direction. A work group in and of itself is not going to fix the problems that we have within this process.

Eudaly: We have shared this timeline before. Hannah, if you could go grab timelines from my colleagues, there's a very clear process laid out. Two processes. One is a multibureau work group and one is examining the neighborhood coalition model. We had recommended a two-year extension because we just don't think we can make -- do the kind of engagement we need to do and make the changes, make any changes faster than that. Three years was a compromise with activists who wanted more time, and i'm happy to extend it I think it's going to result in nothing but a better plan.

Wheeler: Thank you all three of you. Appreciate it.

Moore-Love: The last three I have.

Chris Eyekamp: I'm chris hykamp, chair [audio not understandable] neighborhood association. Also active in a number of civic groups and i'm not here speaking on behalf of any of them. These are my own thoughts. In its rewrite of the 3.96 code civic life is tinkering with Portland's democracy. I don't believe our system is perfect and I believe in the idea of continuous improvement. But it also calls for proceeding carefully and deliberately and in a manner most likely to produce public confidence in the outcome. As you consider how to move forward I want you to consider these four points. First before the multibureau meetings begin there should be an open process to determine what the goals and outcomes of the meetings should be. Before we figure out how to answer the question we need to decide what questions to ask. Second, at the end of the multibureau process there should be a period for public comment before any proposal is brought before council. It would be ironic if we didn't take the chance to listen to those voices. Three, one of the

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stated goals in the original process was a set of voluntary guidelines that represent the best practices for civic engagement. As far as I know these were never developed and I would like to ask civic life to continue to create these guidelines to develop tools that would help neighborhoods associations do a better job including the voices of everyone in their boundaries. I'm hoping that the rest of city council will help all of our city bureaus and agencies become more responsive to the voices of residents whether they participate via neighborhood association, a different civic organization or simply speaking for themselves. Finally, I was very encouraged by your comments in december from all of you about making this process less divisive. The notion that there's any disagreement about the need to improve the system is false. I think everyone in the room now and everyone at the meeting in december wants the same thing, a city that is responsive to needs of residents and one where there are multiple avenues of involvement and where every voice can be heard.

Sean Green: Sean green. I'm vice chair of the northeast coalition neighborhoods. I'm speaking for myself today. Apologize, I don't have prepared remarks but I wanted to take the opportunity. There's been a lot going on in my life and I wanted to just say that I really respect council's desire to improve the way the neighborhood system works and to make our city more inclusive and I want to say that as someone who participated in this process both within the board of the northeast coalition of neighborhoods and offering feedback early on and showing up to meetings and participating and doing advocacy work directly with civic life that i'm really inspired by the vision that commissioner eudaly has and the vision and I want to support the positive change to make our community better and I think there are some opportunities to learn from the process and to make changes as we move forward. I think that a lot of the things that commissioner eudaly and director rhee did in terms of engagement were very innovative and are things that I think speak to the types of engagement that we want to be having in the future. Though there are some other aspects of the engagement where there's opportunities to make it better and I think we recognize that. I have been involved in a lot of Portland civic engagement processes and I think that we continue to be a place that people from throughout the country and the world look to for best practices in terms of civic engagement. I'm proud to be part of a community that is looked upon that way. I just want to say that i'm going to be positive and participate. I think that i'm open personally and I know that we have had discussions in the northeast coalition of neighborhoods to a timeline that's faster. I think that the amount of resources and the type of engagement dictates how fast one can move, and there's different ways that process can happen. We have already -- the beautiful thing is we have already engaged so many people and people are aware and ready for this next phase to move forward so we can make our city better. Thank you very much. I appreciate all the hard work all of you do for our city.

Eudaly: You too.

Wheeler: Thank you. Good afternoon.

Suzanne Gardner (reading for Stephanie Kaza): Hi. I'm suzanne gardner, a fellow board member with stephanie. She was not able to return from her trip in time. Is it possible for me to read her prepared remarks?

Wheeler: Without objection.

Gardner: Thank you so much. I appreciate that. Thank you for your attention to our concerns as Portland citizens. I'm a member of the north tabor neighborhood association and representative to our regional council southeast uplift. The concerns expressed here reflect my personal experience as well as points from our neighborhoods association discussions regarding the proposed code change and multibureau work group resolution. I have three significant concerns to share with you. First I believe occl has become so focused on inclusion that it has neglected fundamental aspects of liveability and quality of

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life in the city and its neighborhoods. By neglect I mean reducing budgets and staff for community safety and noise mitigation and eliminating mediation support for citizens working on neighborhood issues. On my block we struggled to listen with 24/7 home garage business with noise that impacts surrounding neighbors. In trying to resolve the problem in a neighborly way we have seen how weak the city has become in its ability to help neighbors work out quality of life issues. The proposed code change reflects a major shift away from basic services to promote safety and civility in spaces where people live and raise their families which has real consequences in the quality of life on the ground. I ask the council to look closely at the budget and staffing shifts at occl, insist on a budget and staffing plan for the code change proposal that will restore basic services and safety before taking on additional multibureau coordination efforts. Second I have serious concerns about the capacities of the small understaffed bureau occl to lead a multibureau effort involving extensive communication and staffing resources. Along the entire code change proposal project communication to neighborhood associations was spotty at best, leaving most of us in the dark until fall. Without review these shortfalls in detail led me to say it has been central to driving divisiveness that has come to characterize this process. This is not building confidence in neighborhood associations that occl is capable or is skilled enough to oversee a process involving many people and offices across city government. There's no indication this will be open and transparent to the public. Third, I have not appreciated the characterization of neighborhood associations as elitist, noninclusive and nonrepresentative. If the city wishes to have a truly representative form of government it will need to shift to district elected representation. Volunteer local neighborhood groups with limited budgets and time can only do so much. Neighborhood associations can coordinate local projects but are hardly in the position to represent the interests of all citizens that live in their neighborhoods. This does not mean they are failing. I believe there are several to support good relationships and -- crucial to keeping Portland a city with high quality of life values and would like to see commitment and support strengthened even as business and community groups are included at occl. Thank you for your time.

Fritz: Thank you for representing. That's nice.

Wheeler: Does that complete our testimony?

Moore-Love: That's all who checked in.

Wheeler: I would like to make a comment. First I would thank everyone who came to testify today and again some of you actually sat through an entire three-hour session before you had the opportunity to testify. I really liked the testimony that reflected the fact that this has created a broader and deeper community discussion about civic engagement and I want to applaud commissioner eudaly for frankly the opportunity that this city has had to revisit this conversation. It's an important one. I want to stake out some ground here at least for myself. I believe it's critically important that we support neighborhood associations. The 2016 audit, however, also made it very clear that the city is changing. It's becoming more diverse and more and more people are renting. I have believed that confirmed neighborhood associations need to be more inclusive of people of color, of renters, and people with lower incomes. What I heard a number of people say as they came to the microphone today is they acknowledge that our neighborhood infrastructure, which is just like our broader civic infrastructure and form of government, requires evolution as the circumstances and needs in our community evolve. So I want to be clear that I believe we should work with the neighborhood associations to make the more inclusive not abolish them. I appreciate the spirit with which people came to the mike today. Thank you for that. Commissioner eudaly?

Eudaly: Thank you, mayor. Thanks, everyone, for coming today. I did hear a fair amount of continued misunderstanding about the process in the resolution. Unfortunately, when

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you hear something over and over again, even if it's not true, people tend to start believing it. So all I can do is state the facts as I know them, as from one of the people fairly instrumental in this process and this resolution, over and over again and hope that something sticks. At no point were neighborhood associations on the chopping block. They were acknowledged, for one thing the controversy over code change began before the code change proposal was even made, let alone brought to council for a vote. Neighborhood groups or geographically based groups were always included in those recommendations. When I heard from neighborhood associations that the proposed language made them really nervous and they wanted to see neighborhood associations specifically referenced I asked that that language be put back in. That's the point where the proposal reflected that there would be no change in the benefits and privileges extended to neighborhood associations until or unless the bureaus wanted to engage in a similar code change process for themselves. Moving forward I have no intention of defunding or eliminating neighborhood associations but I want to point something out. Neighborhood associations are independent entities. They are not government agencies. You are your own organizations. I have very little control over what you do. In fact, although we spend hundreds of hours and staff time trying to resolve conflicts in neighborhood associations, we have no real power to compel them to make any changes or improvements beyond derecognizing neighborhood associations. I don't know that that's ever been done. I have never done it. I would ask you to consider the fact that if I really wanted to dismantle the neighborhood association system, I would start derecognizing the neighborhood associations who are out of compliance with the standards, which a cursory glance suggests it's over 50%. I don't want to do that. So I would really appreciate it, you know, agree to disagree philosophically or on policy, but this continued suggestion that the intent of the process was to dismantle the neighborhood association is simply false. I can't -- it gives me nowhere to go in the conversation when that continues to be asserted. Again, please go to my office and get this sheet of paper. The suggestions that there's going to be no public process before this is brought to council is incorrect. We will have a work session. No decisions are to be made in a work session. It's a learning opportunity for council and it's a rare opportunity for us to come together as a group and discuss issues outside of these council sessions. Once that work session has happened and if we can find agreement among the council members, then that phase 2 of external engagement begins with the public process that you're talking about. Finally, I have to correct a couple pieces of misunderstanding about the bureau. We have not reduced the budget for noise or crime prevention. There has been changes with mediation which was somewhat underutilized. We still have mediation through civic life but what we have also done is offer an array of workshops and classes which are things that neighborhood associations have been asking for to help you learn to be more inclusive or -- there's a variety of classes offered. So I think those are the main points of misunderstanding that I wanted to clear up. I'll leave it at that.

Wheeler: Commissioner Fritz.

Fritz: Thank you for that statement. I think one of the concerns of neighborhood associations are if you take out the definition of what a neighborhood association is that that then becomes unclear as to how they are recognized and supported. That's something that will need to be addressed moving forward. The other issue is or the bigger issue is the district coalitions and district offices. Two of them are city run bureaus. City run offices. Five are nonprofit coalitions run by nonprofit boards. Without predictable, sustainable, adequate funding for the coalitions the neighborhood associations go away. The funding for the coalitions is the thing that really, really needs to happen. We currently have one coalition, southeast uplift, who has been seeking a new executive director for a long time. It's very difficult to recruit somebody to a job that's only going to be there for

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three years for sure particularly when the coalitions have not had cost of living increases for such a long time. So that's one of the issues that I think we should have more council discussion and then I will be proposing amendments to the resolution so that it says in the resolution what's in the timeline. We also have had multiple people asking us to have a different bureau do the multibureau work group. It's not entirely clear to me what the bureau is going to do and in particular having the bureaus do something for ten months and then coming to council without having any community input into the community system as to how people want to be engaged, how we deliver services, I think is not likely to reach consensus and I believe it's a hearing rather than a work session in november.

Eudaly: It's a work session in november.

Fritz: Then you'll have an amendment to your resolution. I think there's still many questions. It's really unfortunate that we were not able to hold a second evening hearing. We have 35 people waiting to testify last time. 12 were able to make it in. Thank you very much for that.

Wheeler: Commissioner hardesty.

Hardesty: I also want to add my appreciation and thanks to folks who were able to make it back again to be able to have your voice heard. We have also received several emails from folks who weren't able to actually make it in person today. So i'm also grateful for that. For me I think I do share a little bit of commissioner Fritz's concern about the clarity of the road that we're on. What I have heard clearly is that there's a desire from neighborhood associations to be part of the solution, and i'm not quite sure when that process will be allowed to take place, especially if we're going to have an internal work group and we funded neighborhood associations for three years, in my mind as soon as we pass a document saying we funded them for three years people will lose interest in having the conversation because quite frankly there's not the hammer over to make sure people are actually working in good faith to actually move the process forward. I don't like city processes especially those that start off so divisive to drag out for multiple year process without a real update, without real opportunities for the community to know where we are in the process and to frankly be engaged in the process. We have also heard that there's a desire by neighborhood associations as amanda Fritz said, I want a process that's actually a process that engages more people. I want to be real clear. I don't think any one organization represents everybody. Whether that is culturally specific or not culturally specific there's no one organization that represents every perspective, every viewpoint, right? So we have an obligation if we say we want community engagement we have an obligation as a city to make sure we're not just dependent on one perspective but we're reaching out into a broad range of communities to get that input. We should actually be bringing people along rather than doing it to people. I look forward to the next steps. I guess we'll see when this comes back later how we can be helpful and making sure this is an inclusive process that is not villainizing any segments of our community but looking for common ground that we can build on. Thank you all for being here. Greatly appreciate it.

Wheeler: This is a resolution. We're continuing the resolution. I don't believe we have a date certain at this point but we'll keep the public notified.

Moore-Love: I have a date penciled in. Were we doing the january 30 still? Thursday, january 30, at 3:00 p.m.

Wheeler: Okay. Thursday, january 30, 3:30 p.m. Time certain.

Moore-Love: 3:00 p.m.

Wheeler: 3:00 p.m. Certain at Portland city hall. We'll continue to that date. We're adjourned. Thank you, everyone.

Council adjourned at 3:06 p.m.