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CITY OF  
**PORTLAND, OREGON**

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**OFFICIAL  
MINUTES**

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A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **5<sup>th</sup> DAY OF AUGUST, 2020** AT 9:30 A.M.

THOSE PRESENT BY VIDEO AND TELECONFERENCE: Mayor Wheeler, Presiding; Commissioners Eudaly and Fritz, 3. Commissioner Hardesty arrived at 9:33 a.m., 4.

Under Portland City Code and state law, the City Council is holding this meeting electronically. All members of council are attending remotely by phone and the City has made several avenues available for the public to listen to the audio broadcast of this meeting. The meeting is available to the public on the City's YouTube Channel, eGov PDX, [www.portlandoregon.gov/video](http://www.portlandoregon.gov/video) and Channel 30. The public can also provide written testimony to Council by emailing the Council Clerk at [cctestimony@portlandoregon.gov](mailto:cctestimony@portlandoregon.gov).

The Council is taking these steps as a result of the COVID-19 pandemic and the need to limit in-person contact and promote social distancing. The pandemic is an emergency that threatens the public health, safety and welfare which requires us to meet remotely by electronic communications. Thank you all for your patience, flexibility and understanding as we manage through this difficult situation to do the City's business.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Lauren King, Deputy City Attorney

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

<b>COMMUNICATIONS</b>		
<b>634</b>	Request of Matt Glazewski to address Council regarding Peninsula Crossing Trail safety and security issues (Communication)	<b>PLACED ON FILE</b>
<b>635</b>	Request of Debra Kolodny to address Council regarding Portland Police Bureau and Federal agent use of violence against demonstrators (Communication)	<b>PLACED ON FILE</b>
<b>636</b>	Request of Gregory Horner to address Council regarding the Commissioners oath of office outlined in the City's Charter (Communication)	<b>PLACED ON FILE</b>
<b>637</b>	Request of Gia Naranjo-Rivera to address Council regarding the repression and violence being experienced by many people in Portland (Communication)	<b>PLACED ON FILE</b>

<p><b>638</b> Request of Brian Betcone to address Council regarding increasing the visibility of Portland Police identification numbers (Communication)</p>	<p><b>PLACED ON FILE</b></p>
<p><b>CONSENT AGENDA – NO DISCUSSION</b></p>	
<p><b>Mayor Ted Wheeler</b></p> <p><b>Office of Management and Finance</b></p>	
<p><b>*639</b> Pay settlement of Bradley Tellam property damage claim in the sum of \$9,235 resulting from a motor vehicle collision involving the Portland Bureau of Transportation (Ordinance) (Y-4)</p>	<p><b>190080</b></p>
<p><b>640</b> Provide an exception to Human Resources Administrative Rule 6.03, Vacation, for employees required to furlough allowing for carryover of all vacation accruals earned by the end of the first pay period in January 2021 to the end of the first pay period in January 2022 (Second Reading Agenda 622) (Y-4)</p>	<p><b>190081</b></p>
<p><b>641</b> Provide an exception to Human Resources Administrative Rule 8.03, Hours of Work, Overtime Compensation &amp; Management Leave for Fair Labor Standards Act Exempt Employees allowing for carryover of unused management leave to calendar year 2021 as a result of required furloughs for FLSA exempt employees (Second Reading Agenda 623) (Y-4)</p>	<p><b>190082</b></p>
<p><b>Commissioner Jo Ann Hardesty</b></p> <p><b>Portland Fire &amp; Rescue</b></p>	
<p><b>*642</b> Accept and appropriate a grant in the amount of \$659,443 from the Department of Homeland Security through its Federal Emergency Management Agency for COVID-19 Supplemental (Ordinance) (Y-4)</p>	<p><b>190083</b></p>
<p><b>Commissioner Chloe Eudaly</b></p> <p><b>Bureau of Transportation</b></p>	
<p><b>*643</b> Amend contract with TriMet for Design and Construction Management Services for the Portland-Milwaukie Light Rail Project (Ordinance; amend Contract No. 30001514) (Y-4)</p>	<p><b>190084</b></p>
<p><b>644</b> Authorize application to Oregon Department of Transportation for a grant in the amount of \$5 million for the Safe Routes to School Competitive Infrastructure Grant Program (Second Reading Agenda 625) (Y-4)</p>	<p><b>190085</b></p>
<p><b>REGULAR AGENDA</b></p> <p><b>Mayor Ted Wheeler</b></p> <p><b>Bureau of Planning &amp; Sustainability</b></p>	

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<p><b>645</b> Replace Title 13 Animals with Bees and Livestock to update the regulations for keeping bees and livestock (Second Reading Agenda 632; replace Code Title 13) (Y-4)</p>	<p><b>190086</b> <b>As Amended</b></p>
<p><b>Commissioner Chloe Eudaly</b></p>	
<p><b>Bureau of Transportation</b></p>	
<p><b>646</b> Vacate a portion of SW 3rd Ave south of SW Arthur St subject to certain conditions and reservations (Second Reading Agenda 629; Ordinance; VAC-10126) (Y-4)</p>	<p><b>190087</b></p>
<p><b>Commissioner Amanda Fritz</b></p>	
<p><b>Water Bureau</b></p>	
<p><b>647</b> Authorize a contract with the lowest responsible bidder and provide payment for the construction of the Powell Butte Reservoir 1 Roof Upgrades Project at an estimated cost of \$5,140,000 (Second Reading Agenda 626) (Y-4)</p>	<p><b>190088</b></p>
<p><b>FOUR FIFTHS AGENDA</b></p>	
<p><b>Mayor Ted Wheeler, Commissioners Eudaly, Fritz and Hardesty</b></p>	
<p><b>City Attorney's Office</b></p>	
<p><b>647-1</b> Authorize the City Attorney's Office to pursue litigation against the federal government to protect the City's right to a fair, accurate and legal Census (Resolution) (Y-4)</p>	<p><b>37500</b></p>
<p><b>SUSPENSION OF THE RULES</b></p>	
<p><b>Mayor Ted Wheeler and Commissioner Fritz</b></p>	
<p><b>City Attorney's Office</b></p>	
<p><b>647-2</b> Authorize City Attorney to file any litigation and pursue any available legal remedy against the federal government and any of its officials, agencies, or instrumentalities to protect the rights of the City of Portland and its inhabitants and to appropriately limit the power of the federal government (Resolution) <b>Motion to consider item not on agenda (suspend rules per PCC 3.02.030.C.5):</b> Moved by Wheeler and seconded by Eudaly (Y-4) (Y-4)</p>	<p><b>37501</b></p>

At 10:32 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **5<sup>th</sup> DAY OF AUGUST, 2020** AT 2:00 P.M.

THOSE PRESENT BY VIDEO AND TELECONFERENCE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fritz and Hardesty, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees, Chief Deputy City Attorney

<p><b>648</b>    <b>TIME CERTAIN: 2:00 PM</b> – Amend the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Title 33 Planning and Zoning and Title 30 Affordable Housing, to revise the Single-Dwelling Residential designations and base zones (Second Reading Agenda 551 introduced by Mayor Wheeler; amend Code Title 33 and Portland Comprehensive Plan and Zoning Maps, and Title 30) 1 hour requested</p> <p><b>Motion to amend the ordinance and exhibits including amended code commentary and revised maps:</b> Moved by Hardesty and seconded by Eudaly. (Y-3; N-1 Fritz)</p>	<p style="text-align: center;"><b>Passed to Second Reading August 12, 2020 at 9:45 a.m. Time Certain As Amended</b></p>
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At 2:21 p.m., Council adjourned.

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**THURSDAY, 2:00 PM, AUGUST 6, 2020**

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

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**MARY HULL CABALLERO**  
Auditor of the City of Portland

Karla  
Moore-Love

Digitally signed by  
Karla Moore-Love  
Date: 2021.02.09  
22:31:21 -08'00'

By Karla Moore-Love  
Clerk of the Council

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

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## Closed Caption File of Portland City Council Meeting

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

Key: \*\*\*\*\* means unidentified speaker.

### AUGUST 5, 2020 9:30 AM

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

**Wheeler:** The city council is holding this meeting electronically. All members of council are attending remotely by video and tele-conference, and the city has made several avenues available for the public to listen to the audio broadcast of this meeting. The meeting is available to the public on the city's youtube channel, egov pdx, [www.Portlandoregon.gov](http://www.Portlandoregon.gov), and channel 30. The public can also provide written testimony to council by emailing the council clerk at [cctestimony@Portlandoregon.gov](mailto:cctestimony@Portlandoregon.gov). The council is taking these steps as a result of the covid-19 pandemic and the need to limit in-person contact and promote social distancing. The pandemic is an emergency that threatens the public health, safety, and welfare which requires us to meet remotely by electronic communications. Thank you all for your patience, flexibility, and understanding as we manage through this difficult situation to do the city's business. Colleagues, before we begin, I want to thank those joining us for our wednesday session. Before we begin our agenda, I would like for us to pause for a reflection and to acknowledge acts of exemplary public service. 2020 is brought to the forefront conversations about the massive disparities in wealth, income, access to housing, education, employment, decision-making opportunities, and even health. We must continue to have these conversations if we are to, actually, address our economic public health and housing emergencies and cannot stronger and more resilient. We must support the people, including our own city staff who are listening, and in some instances personally experiencing the problems that our nation is facing. For every number of -- every piece of data, whether it comes to -- when it comes to housing instability, when it comes to domestic abuse, when it comes to violence to oneself or to another, when it comes to the closures of small businesses, brings a wave of emotions, anger, frustration, sorrow, grief, and confusion, while data is at the heart of the accountability for our institutions, we talk a lot about data here. We must always remember that every piece of data reflects the lives of many people, and that every new life is sacred. We must recognize the intensity of the changes in our lives, and we must be intentional with our words and our actions. As mayor, I believe that I have the responsibility to use every tool I have to make sure that we are successful in building our public institutions and bringing back our city better than it was before. We must do everything we can so that we do not lose people during this process. We lost a number of our city family last week to suicide. In fact, we have lost several members of the city family to suicide in just the last couple of months. These were appreciated, talented, and valued members of our city staff who are vitally important to the work we do and the community at-large. They will be deeply missed by all of us who knew them. We must at this time, when there is so much going on, support each other. Let's be sure to take care of ourselves and each other. We must remember the humanity of the people that bring us joy and bring us wisdom, the actions and movements that give us purpose, and the places that connect and recharge us. We must learn from these moments. I have learned in the last few days, for example, that we don't have rapid response to bring in culturally responsive services from members of our city family. I have directed my team to as soon as possible. I would like us now to join together in a moment of silence to reflect on and remember the colleagues that we have lost and those who may

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still be deeply affected by and struggling with the many difficult piece that we are all faced with. [moment of silence] thank you. In closing those comments, let's just, as leaders, colleagues of the city government, let's make sure that we really reach out to people, bureau directors. Keep an eye on the people who are responsible for and for our fellow city employees, look out for each other. Thank you. Karla, first up is communications.

**Lauren King, Deputy City Attorney:** Mayor, would you like me to read the council --

**Wheeler:** I forgot that. Please. If you would not mind, thank you.

**King:** And thank you for that, and good morning, everyone. To participate in council meetings you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. Your testimony should be address the matter being considered at the time. When testifying state your name for the record, your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify it. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When your time is up the presiding officer will ask you to conclude. Disruptive comments such as shouting or refusing to conclude your testimony or . Further disruption may result in the person being placed on hold or rejected for the remainder of the meeting. All council meetings are recorded. Thank you. I think you are on mute.

**Wheeler:** First up is communications.

**Item 634.**

**Matt Glazewski:** Thank you. Good morning, mr. Mayor, members of the city council. So I am representing the university park neighborhood association this morning. I would like to talk to you about what's going on, on the peninsula crossing trail, which is a trail that runs from, no north Portland from north princeton to . And over the past year we have had campers there, which is not necessarily the issue that I am -- I want to talk to you about today. But, it has gotten progressively worse over the course of the year, and has, obviously, been compounded by the covid -- pandemic. This pertains to litter of discarded needles provided by pbot, and how there were a number of residents responsible for cleaning these things up. And it has gotten a lot worse because there is a criminal element in the camp that has really been pushing some people to the brink. We've been in contact with commissioner jayapal, and working with mr. King from your office, and in contact with pbot, and on the 20th of july we had a meeting with commissioner hardesty about the tickling and have been trying to work with her staff on those issues. However, it is a large problem, and as I mentioned it's not just the existence of the camp, which generally speaking we don't have an issue with. We understand we have a housing crisis, and there are a lot of peaceful campers there. And they are respectful, but there are some people that maybe are not being respectful. Some adjacent activities that have been a result because of it, including drug deals that have been going down in broad daylight every saturday when needles are provided, and as are cans and one gentleman, fairly well-known in the community that cooks up meth in cathedral park comes up in his busted to sell drugs in broad daylight. So, and mr. King was there with us when one of these was actually happening. We reached out for over a year to the members of the city with, you know, for support with no real response and until recently we have had some, you know, as you can see and actually conversation, but we've been pushing and asking for a walk-through for months, and the most impacted residents are some people that live on north overland street, and there are low income housing apartments there that are directly affected because there are a number of individuals that are directly adjacent to the camp. And what we would like is that if the city would be able to come and see the issues for themselves and help facilitate a solution involving all impacted because the neighborhood association is not equipped to act as a convener in this multi-jurisdictional nightmare, and the joint office on homelessness has not been helpful. The situation has gotten much



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worse because we had a double stabbing recently. You probably have seen the reports about that. And one of the residents of the low income apartments was bullied by the criminal element in the camp. I recently learned he didn't find any escape from it. So he actually overdosed. The criminal element from looted and left his dead body there. Things have gotten out of control. We would like the city to act as a convener to come to a solution. We are not asking you to sweep the camp. We are asking to try and bring some order to what's going on here and to remove the criminal element to it. I am fearful there might be some vigilante. I am -- fearful. Thank you for your testimony.

**Wheeler:** I appreciate your testimony. I will circle around with robert. I think your idea around convening is a good idea, and I am sorry this is happening to you. It should not happen.

**Glazewski:** Thank you.

**Wheeler:** Could I ask you one follow-up question, matthew? So I assume that you called the police or 9-1-1? What is the -- what has the response been?

**Glazewski:** The response has been mixed. There have been a number of calls to -- the police have come a number of times. There have never been any arrests. Generally speaking, they just kind of quell whatever is going on at the moment. Some of the stolen vehicles that have been parked on the end of the street have been towed. Pbot put up some signs, but it's very much, you know, the residents that liver there have to go and be active and make these phone calls when they happen. The activities going into the middle of the night, you know, 2:00, 3:00 a.m., the calls have been made to the police. They might come, but sometimes, you know, some individuals might sort of see what's coming, and they scatter, and nothing necessarily gets resolved. So we have not had any real success, and I understand that there is a lot, obviously, going on with, you know, the police attention right now.

**Wheeler:** Yeah, and hopefully that will come to an end, as well.

**Glazewski:** One other quick thing is that depending on where you are along the trail, it's a number of -- when I say the inter-jurisdictional nightmare, it's very much a piecemeal sort of thing where different bureaus or agencies own different pieces of property. So depending on where you are along there, you might be on housing bureau lands. You might be on water bureau land or the bnsf railway land. You might be on a metro easement. You might be on pge land. It's very much that if you get attention from one of these groups to come, the people or the trouble-makers might just go and walk two feet over to another piece of property and suddenly it's not, you know, not their problem any more. You can get away with it. Like I said, we've been trying to act as the convener. And that's not easy to do when there are this much government and private entities involved.

**Wheeler:** I will have and robert take a look at this. We have done this before where we have had to bring other jurisdictions together. I recall a situation in east Portland where it was either three or four different jurisdictions controlled a fairly large area and had to come together and craft a comprehensive solution, so maybe that's what's required here.

**Glazewski:** I think so, sir. And thank you for taking the initiative on that. We look forward to a peaceful resolution for everyone, including the peaceful campers.

**Wheeler:** I will circle back to robert. Thank you for coming in and sharing.

**Glazewski:** Thank you, sir.

**Wheeler:** You bet, thank you. Next individual, please, Karla.

**Item 635.**

**Wheeler:** Good morning, rabbi.

**Rabi Debra Kolodny Exec Dir, Portland United Against Hate:** Good morning, mayor. Before I begin my comments, I want to say that I hope that the memory of those who have been lost to completed suicide will be a blessing and they rest in peace and in power. Mayor and commissioners, I am debra kolodny. I am here today as executive director of

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Portland unite against hate, co-author of the stop cop riots and as clergy. In the final letter demanding an end to police violence during demonstrations, the community submitted 66 organizational signers and 92 clergy signers as well as another 1,300 individuals. I broke down the numbers because I want to make clear that while a few clergy share the good or bad protester narrative and are standing with police, the vast majority of us do not. Dozens of clergy are on the ground weekly or nightly, personally witnessing law enforcement atrocities, clear that both ppd and the feds have been using force without provocation and are doing heinous harm to the city. I hope with the feds gone the violence would subside and last thursday ppd was absent and there was no violence. They could not help itself. A participant in the peaceful demonstration on saturday night input the following into the report hate pdx database. Quote, "this was an incident of ppd crowd control on 47th and burnside on august 1 at around 10:00 p.m. Riot cops ran into the crowd and began indiscriminately beating protesters and screaming they would hurt us if we didn't disperse or move faster. They pushed us outside of our protective barricade where an uninvolved pissed off driver drove into the crowd and tried to run protesters over. We all jumped out of the way in time, but it was terrifying. The police chased protesters through neighborhood streets for ten blocks and beat people, maced people, shot something, stole bikes, slashed car tires and windows of vehicles the protester placed as a barricade and maced two members of the press even after they identified themselves. The worse thing I saw was a medic being assaulted and his cart of medical supplies and water was stolen," end quote. I hope you all agree this is horrifying. The city has asked you, mayor wheeler, to rein in police violence by following the auditor's findings, judicial rulings, and science and best policing crowd safety. They are neither pie in the sky nor difficult to implement. You have not yet responded. Every night more residents of Portland are injured in the streets, and many are suffering in their homes from the use of tear gas. Did you know that tear gas is a have been overwhelmed with premature births. Because of the media coverage from "time" magazine the world knows that ppd is engaging in unethical, immoral, and unnecessary violence and is causing great injury. This week, police violence is hate violence report, and you can expect that media coverage to continue. Police commissioner wheeler, we wonder what will it take to end this siege? How can you continue to let those you represent be trampled both constitutionally and physically. We implore you to act now, and we would be happy to consult with you about this. Thank you for your time this morning.

**Wheeler:** Rabbi, I would like to respond to that. Thank you for your testimony. I am in receipt of your letter, and we are responding to your letter through our actions. I, perhaps, should have taken the time to -- to pen a response, but we, the first demand was to get the feds out. I believe I was clear on that subject. I appreciate my partnership with the governor. The feds are gone. There were calls for deescalation strategies. I hope that you have seen that there has been a shift in those strategies. You called for the elimination of the use of c.s. Gas. I sharply limited the use of c.s. Gas, although I did not eliminate it in the case of imminent threat of serious injury or death. That is a standard that has been agreed to not only by the city, but by the county and our state partners. They will certainly take that up in the upcoming legislative session, but I stand by the decision in that regard. As for the rest, continuing to work with us in the community to deescalate these situations, obviously, I am very supportive. I will disagree with you on one point. I do believe that there are some people who are out there on the streets who are not interested in the black lives matter movement who are not there fighting for racial justice or equity, but who are, in fact, engaged in criminal activity. I do believe that it is the duty and the responsibility of the police bureau and the police commissioner to hold those individuals accountable because they represent a threat to the larger community. Now that being said, I hope that you also see that we have worked very hard to deescalate the situation, that we have worked very



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hard to support and uphold the first amendment rights of the people in our community. I don't think those things are necessarily at odds. I appreciate your testimony this morning. Knowing you, as I do, we will continue the conversation. I appreciate it. Thank you.

**Kolodny:** Thank you for your response.

**Wheeler:** Thank you.

**Kolodny:** The narrative I described from Saturday night is pretty dramatic violence even if it's not using c.s. Gas, so I can't say that we have eliminated the problem, and people were indiscriminately being pummeled. Yeah so that's a different scenario than addressing criminal activity.

**Wheeler:** We may disagree on the particular facts in any given evening, and I am certainly framing sometimes it is hard to condemn what the facts are in any particular situation, but my belief is that each and every one of these incidents will be investigated. I said that two months ago when this started through the independent police review commission. I would encourage you to raise this with them. They don't report to me. They don't report to the police bureau. And that is the appropriate vehicle for these things to be investigated, but I would just caution you that sometimes what I see or hear on social media does not necessarily comport with the law being kept by the police bureau as they make these decisions in the incident command center. So I just want you to be aware of that.

**Kolodny:** I appreciate that. We've been relying on the testimony of legal observers and of clergy and of journalists, so highly reputable folks. Not social media.

**Wheeler:** I appreciate that. Thank you.

**Kolodny:** Thank you.

**Wheeler:** Commissioner Hardesty.

**Hardesty:** Thank you, sir, my hand has been up for a while.

**Wheeler:** I am sorry. I am on the wrong screen.

**Hardesty:** It's all good. Thank you, Rabbi, for your testimony today. I want to know whether or not the -- that you are receiving more incidents of racial, racially discriminatory activity taking place in our community and what you are finding. Do you have a sense for what's been happening in the last three months as it relates to the people following complaints about the racially discriminatory activity?

**Kolodny:** I am not sure that it has increased. It certainly has at least held steady, which is remarkable given the social distancing and stay at home orders, and the degree to which people are not out and about. I would call holding steady, you know, an increase.

**Hardesty:** Yes. I was going to say that I am not sure if people know how to, you know, how to file those complaints. Just the stories that I am hearing from folks, it sounds like something that we should be tracking. I am not quite sure who is tracking it. Thank you. I appreciate your testimony today, and Rabbi, I also saw some of the videos that have made me very concerned, especially the ones about the police bull rushing a whole bunch of people in southeast Portland. I will be meeting with the chief on Thursday afternoon, and we will be asking him some very specific questions about those incidents. If you have video or written testimony, please feel free to forward it to my office, and I will talk to your chief about it this Thursday.

**Kolodny:** Thank you. I will view the most recent data points. You will be getting a report that ended, unfortunately, July 20, but I will go into our database and submit the most recent reports to you, as well.

**Hardesty:** Thank you very much. I appreciate that. I appreciate all you do, Rabbi. Have a good day.

**Kolodny:** Thank you.

**Wheeler:** Karla, next individual, please. Sorry.

**Item 636.**

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**Gregory Horner:** Good morning. My name is gregory. And I am writing from the Portland charter abridged. "every official appointed or elected to office and performing of his or her duties shall take an oath or affirmation that he or she will support the constitution of the united states and the state of Oregon and will faithfully and honestly discharge his or her duties if oath or affirmation will be false in particular, deemed a delinquency in office ." we are members of the union. A union built on the foundation of liberty and justice and equality. While a nation has current and past faults, we continue to strive a better society. At this time, the union needs your courage, capabilities, and patriotism. We need your courage to hold compassion in your hearts, facts in your mind, and uphold a dispassionate discourse. We need your capability to secure our liberty by choosing to riot and loot us. We need your patriotism to bridge our racists to be a people bound together by american principles. If you continue to , they will flare up and burn us all. It's not too late for this council to keep its oath to our republic. Thank you for your time and consideration.

**Wheeler:** Thank you. Next individual, please, Karla.

**Item 637.**

**Gia Naranjo-Rivera:** Good morning. I would like to ensure that you can see the. Okay. I will assume that's a yes.

**Wheeler:**

**Naranjo-Rivera:** Okay. Great. Good morning. I am happy to be here, and I represent the voices of several people, including myself. I am on the streets of Portland. I am under a quagmire of severe police and other public official brutality, and issues of drug addiction and mental health. The overview of this presentation includes -- I will discuss the violations of and the voices of demand and recommendation being by the community and the vision for our leadership to move forward asking you do not plan the future with wisdom. Next slide, please. Okay. I would like to show you that I personally experienced having been arrested for the first time in my life three times. Each time the violation of my first amendment rights. The violation of first amendment rights are happening nightly being committed by the Portland police. Here's one example of a person being arrested on their knees with their hands in the air in a peaceful protest. This has been accompanied by illegal searches, arrest and detention to include violence, denying access to medical care, and unwarranted confinement. Next, please. It often includes excessive force, including the use of lethal arms, lacerating people's faces, and skin and breaking bones, of innocent, non-violent protesters, including children and minors, weapons peaceful crowds that include pregnant women, elders, people in wheelchairs and people who cannot get away. Aiming at heads, heart in general, shooting one person in the and being tackled by large numbers of officers. It happened to a person last night, convulsing, prompting on himself, seizing, and being removed in a stretcher, although he was completely and peaceful. Next slide, please. There's also been targeted violence. Targets include black people, children and teens, especially young black boys, and houseless people, and targeting illegal arrests and abduction, intimidation, harassment, and , grabbing genitals by the police towards a peaceful protester and a doctoral student who will complete their ph.d. This friday, and censorship and violence, and as well as and videotaped certain members of the Portland police bureau colluding . This oppression is unacceptable as the rabbi spoke of, with atrocities about provocation, and unnecessary violence, as she so aptly stated, and the police are impinging upon liberty, acts of first amendment protests.

**Karla:** Three minutes.

**Naranjo-Rivera:** I will stop there.

**Wheeler:** Thank you. Next individual, please, Karla.

**Item 638.**

**Brian Betcone:** Can you hear me?

**Wheeler:** Yes, loud and clear.

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**Betcone:** Hi. My name is brian betcone. Thank you for the opportunity to speak. I am sorry for the loss you mentioned at the start of the call. I am here to request that mayor wheeler please mandate significantly larger and permanent identification numbers for all Portland police bureau officers, not just those doing crowd control at protests, but every officer who is out doing traffic stops and so forth. This would increase the police accountability to black, indigenous, and people of color individuals who are disproportionately affected by over-policing. I have 2,300 signatures. Commissioner hardesty already requested something similar. Please listen to her. Right now, many officers have tiny name tags. It's easier to identify the clerk at the grocery store than the officer with the weapon that could take someone's life. Officers's identification should be proportional to the immense power that they hold. Not only are the name tags hard to read, but having officers names displayed instead of numbers allows to occur. I request you, instead, have a the bureau display identification numbers in huge font on the front and back of the uniform, and an independent organization or auditor hold onto the list, which bears names of numbers. That way police can be easily identified and will not be . I request the be five inches tall by three inches wide. The numbers can be sewn onto the existing uniforms at little cost. Having huge digits will serve as a psychological reminder to officers that they will be held accountable and disciplined for any misconduct. Having them permanently attached will prevent officers from attempting to conceal their identity, as we have seen happen in many cities across the u.s. My black and brown friends and neighbors should not have to worry about being mistreated, brutalized, and as we have seen, murdered by law enforcement. It is unacceptable. There is a lack of trust between law enforcement and the community. Mayor, you have the responsibility to take this and other steps to increase the police accountability. It is a moral imperative to protect the safety of black and brown people. Portland can set an example with regards to transparent uniforms for the rest of the country. Please mandate the chief lovell order huge, identification numbers to be sewn onto uniforms by the end of the day today. I would also love the opportunity to discuss this idea further with any of the council members. Thank you for your time.

**Wheeler:** Thank you, brian. Just want to let you know that I believe that something is already in the works. I think that everybody agrees that the stick-on numbers has not worked as a good long-term solution so I believe that something is in the works.

**Betcone:** Okay. If I may, mayor hear, I spoke at the july 13th forum on police oversight hosted by the crc, and the chief lovell told them that the new ones would be the same size and font, so that is why I am still working on this cause. Thank you.

**Wheeler:** Got it. Thank you. Appreciate it. Thank you. And next individual, please, Karla.

**Karla:** That was the last of the communications speakers.

**Wheeler:** Okay. With that, we will go to the consent agenda. Have any items been pulled off the consent agenda?

**Karla:** We have had no requests.

**Wheeler:** Please call the roll on the consent agenda.

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

**Wheeler:** Aye. The consent agenda is adopted. Colleagues, before we go into our regular agenda, I would like to offer up a 4/5 agenda item to put at the end of the regular agenda. As you know, colleagues, five weeks ago, president trump deployed uninvited and unwelcomed additional federal forces to the streets of Portland. That intrusion led to increased violence and extreme injuries to demonstrators, and we believe that their actions on the ground here violated the constitutional rights of the community members. I would love -- I would like to thank governor kate brown for her willingness to send the necessary state resources to Portland to secure these forces. While the federal government has withdrawn these additional forces from our community, we must continue to vigorously push back on this requisite use of executive authority, and we must continue to defend the

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legal rights of the communities like ours so that this doesn't happen again, not here, and not anywhere. This resolution will give the city attorney's office authority to file any litigation and pursue any available legal remedy against the federal government to protect the rights of our community. With us today is the city attorney Tracy Reeve, who is available to answer any questions that you may have. Otherwise, I will accept a second. I move the 4/5, and I will seek a second.

**Eudaly:** Second.

**Wheeler:** Commissioner Eudaly seconds. Are there any questions of Tracy before we take the vote to put this on the agenda?

**Hardesty:** Yes. I have a question.

**Wheeler:** Commissioner Hardesty.

**Hardesty:** Thank you, Tracy. My question is really around the scope of the ability to see the federal government. As the mayor schedule in his opening, we have a lot of community members that have been physically injured by the federal squad that was here, so I am just curious as to whether or not your role, Tracy, will be, actually, seeking for community members, as well.

**Tracy Reeve, City Attorney:** Thank you, commissioner. I think one of the things that we have a number of avenues of legal re-dress that we're looking at, and one of them is discussing with existing plaintiffs in a case against the federal government about whether it would be advantageous to join in that litigation. We are, also, co-defendants with the federal government in a couple cases, and we very much want to be able to file cross claims against the federal government there. In terms of the individual plaintiffs, though, I think that -- and those cases do have individual plaintiffs, as well. So we very much want to explore options that would permit us to be parties in cases with individuals that are also seeking relief against the federal government. We have already supported one of the cases that we have had some discussions with the folks. The mayor has provided a declaration in support of their motion for temporary restraining order that predated the governor's agreement with the support of the Portland city council to remove the federal agent. So we will be continuing to actively explore options where we can work to also support the claims of the community members. We can't directly represent the community members, but we are working with others that can and do.

**Hardesty:** One last question, Tracy, I understand that we can't individually represent the community members, but I am wondering if there is a class action suit that would be part of your deliberation around identifying what's possible, especially since we don't know what the federal agents did what. All we know that there were a lot of them, and most of them were unidentifiable.

**Reeve:** Yes, absolutely. And as I say, there are a number of cases already existing that we may participate in, and some of those are class actions. Now the classes haven't been certified yet, but that is the intention.

**Hardesty:** Thank you very much. That makes me feel better about what we are up to. Thank you.

**Wheeler:** Thank you, Tracy. Thank you, commissioner Hardesty, and any other questions? Karla, please call the roll to put the 4/5 agenda at the end of the regular agenda.

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

**Fritz:** Just to clarify, this is the vote to put it on the agenda, and there will be more questions and an opportunity for testimony later. Aye.

**Wheeler:** Aye. So it is now on the agenda. We will do it at the end of the regular agenda. Thank you, colleagues. The next item then that we are moving to the regular agenda, item 645, which is a second reading.

**Item 645.**



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**Wheeler:** Colleagues, which is a second reading. We have already heard testimony. We heard a great presentation from michelle and our final presentation of the Portland city council. Is there any further discussion on this item? Karla, please call the roll.

**Hardesty:** Let me just say I never thought that I would enjoy a conversation about bees so much, or that there would be such deliberation. I am happy to vote aye, and congratulations to the staff who have done an incredible presentation, and I vote aye.

**Eudaly:** I want to thank staff for the presentation last week. Note to anyone coming to council pictures of cute animals, very welcomed relief to our daily -- or our weekly trudging. The changes are well thought out and reasonable, and I am happy to support, and I vote aye.

**Fritz:** Thank you very much, michelle, and particularly, julia. I didn't realize that she had retired, and I want to honor both of their long time work with the bureau of planning and sustainability. I particularly, in this case, appreciate how the extra effort to avoid unintended consequences to under-represented communities, communities of color and immigrants and the community outreach that they did to understand the need. Any time we can streamline and clarify the standards, I appreciate that work, and I know it's better to have standards rather than a permit, although that does, I think, mean that we need to have a staffing for complaints if the standards are not being met. And so this is a welcomed improvement, and like commissioner eudaly, thank you for the diversion. It's a lively discussion about peacocks in my staff. There used to be a peacock living at southwest 26th and taylor's ferry, but first not living close enough to it to know whether or not it was anything other than decorative. Now if we have got peacocks you can keep them, but no longer can you go out and have peacocks, although other animals for the pleasure are now allowed bystanders, and thanks to everybody. Thanks to my staff for all the work that they did to help me get ready for this. Aye.

**Wheeler:** Well, I want to share that sentiment. I, actually, felt normal for a change when you are talking about peacocks and everything else. That was a welcomed diversion, but I want to acknowledge a lot of work went into this code, and, and I want to thank michelle and julie and andrea and donnie from bps as well as tony garcia from the city attorney's office. They did terrific work on this. I want to thank amanda watson from my staff, and the pastor, who collaborated with the council office staff on commissioner Fritz's amendment. I remain cautiously optimistic that we will find the right administrator, particularly in Multnomah county's division, and I am grateful for bps to be the pinch-hitter for the time being so thank you for that. One last note having once been the Multnomah county chair, I can tell you that while we don't necessarily think about livestock in the city as a front and center issue, I assure you that it is a very contentious issue, so I know how much hard work went into this. I am very happy to vote aye. The ordinance is adopted. Thank you to everybody who worked so hard on it. Next item, 646, also a second reading.

**Item 646.**

**Wheeler:** This is a second reading. From the transportation bureau. Any further discussion on this item? Seeing none, Karla, please call the roll.

**Hardesty:** Aye.

**Eudaly:** Thank you to pbot staff, I vote aye.

**Fritz:** Aye.

**Wheeler:** Aye. The ordinance is adopted. Not to be outdone, the next item is a water bureau second reading. 647, please.

**Item 647.**

**Wheeler:** Any further discussion on this item? Commissioner Fritz.

**Fritz:** I believe that dee white asked to speak on this, and we were not able to connect with her last week. The council clerk -- is she on the phone?

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**Karla:** She sent written testimony and indicated that she would not be verbally testifying today.

**Fritz:** Thank you very much.

**Karla:** Certainly.

**Wheeler:** Very good. Karla, please call the roll.

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

**Fritz:** Thank you to the staff in the water bureau and my staff for your work on this. Aye.

**Wheeler:** Aye. The ordinance is adopted. We now have our two, 4/5 items to take up. The first one, Karla, is the one relating to the city attorney's office to pursue the litigation against the federal government to protect the city's right to a fair, accurate, and legal census.

**Item 647-1.**

**Wheeler:** Tracy, you are up.

**Tracy Reeve:** Thank you, mayor. This is a matter where the city of Portland has been invited to join as a plaintiff in litigation challenging the trump administration's latest assault on the u.s. Census. And last week, the president issued a memo directing the census bureau to prepare an account that would allow -- excuse me, July 21, that would allow the bureau to prepare an account to exclude non-citizens from the official census in violation of the constitution and federal law. And we have been invited to join with a number of other cities, Atlanta, and the common cause organization have filed this litigation. They are looking for support as plaintiffs. This is not just an amicus. There are residents impacted. There are a couple of outstanding firms willing to handle this on a pro bono basis, so the city would not incur legal expense. We would monitor it, of course, for the city here. And thank you very much for taking it up as a 4/5 item. We had short notice on this, and we have to let them know by today so I am happy to answer any questions. Would you say --

**Wheeler:** Colleagues, any questions on this item? Thank you for that description, Tracy. I understand that there is, but I will ask. Karla, is there any testimony on this item?

**Karla:** No one signed up, mayor.

**Wheeler:** Very good. Please call the roll.

**Hardesty:** I want to thank you, Tracy Reeves and your office for taking this up. This is a solution something that we must do. We must get an accurate count, and everybody counts. I vote aye.

**Eudaly:** Well, it's been an honor to co-chair the Multnomah county complete count effort with county commissioner Stegmann and help lead the work to ensure a complete census count in our community. The federal administration's decision to end the expanded outreach efforts and target immigrants is racist and irresponsible and unethical. I could go on. I strongly support authorizing the city attorney to seek legal remedy. The attempt to end the census early and to discourage residents from being counted as a deliberate attempt to steal political power from diverse jurisdictions. This is just Trump's latest attempt to bolster white supremacy in the face of an evolving and diversifying nation. In the absence of a functional and responsible and ethical executive branch, we smaller jurisdictions may have to sue the federal government to preserve the rights of our community members. I happily vote aye.

**Fritz:** It's astonishing, isn't it, we are living in the United States of America, which is considered one of the greatest democracies in the world, and yet here we are having to sue the federal government for not wanting to do what is in the constitution and get an accurate count of the people living here. So over the past three plus years, nearly four, we -- I have had a whole new appreciation for lawyers, and Tracy, thank you to you and your team. I appreciate you've been thinking of every which way that you can use the 4/5 of law to enforce the rights of the community. And this is another example. Thank you, Mayor Wheeler, for encouraging and empowering the attorney's office to seek every legal remedy



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for re-dressing the wrongs of the people of the united states. Thank you, commissioner hardesty, for your work with commissioner stegmann on the complete count committee. We are committed to getting a complete count, and it means we need to step up our efforts locally to get the count completed as quickly as possible. Thanks to everybody for this work. Aye.

**Wheeler:** Aye. The ordinance is adopted. Next item, Karla, is also 4/5, 647-2.

**Item 647-2.**

**Wheeler:** Tracy.

**Tracy Reeve:** Thank you, mayor. So we drafted this resolution initially shortly before, as I mentioned, the -- we were able to secure the withdrawal of the federal troops without litigation, which, of course, was a positive step. But we purposely made it very, very broad because obviously, we still have the aftermath. We need to be able to see and make sure that the withdrawal is, in fact, occurring, and we are, as I mentioned, at the outset, pursuing discussions with a number of local nonprofits and plaintiffs and also, nationally, and one of the reasons that I really wanted this on the agenda is that we are about to enter into a common interest agreement with a number of cities just to enable us to pursue discussions as parties that potentially may have a common interest in bringing the litigation, so I wanted council's authorization. Also as I mentioned, we are currently co-defendants with the federal government in a couple of cases where we do not believe our interests are aligned with the federal government, and in many instances are aligned with the other parties. We want to be able to file cross claims in those cases as appropriate, and so those are the more immediate aspects to this, but just because things have happened so quickly, and we want to be able to respond quickly, we purposely drafted this quite broadly. We would, of course, stay in close communication with all of you regarding the legal action and strategies, but that is the reason that this is more broadly drafted than usual.

**Wheeler:** Very good. We have commissioner hardesty and commissioner Fritz.

**Hardesty:** Thank you, mayor. Tracy, so I believe that Portland is unique that we are the only city that these contract police were deployed. Is that still accurate? I know that there was a threat to send them to other cities, but I don't think that ever happened.

**Reeve:** I believe that there were some in seattle for a period of time fairly brief period of time. My understanding is that there is a couple other cities, but it's not under the same, like chicago is, apparently, has received or is going to receive some federal law enforcement surge, but that may be with the -- depending on the circumstances, it may or may not be with the collaboration of the city and is not directed, as I understand it, at protest activity or demonstration activity.

**Hardesty:** Thank you. I was just wondering, yeah, for us, I guess, we have some environmental issues. We have got some health issues. I am not sure how we are going to address the overgassing of folks during a pandemic. And so I am hoping that as you said, because the language is very broad, that we get the opportunity to really figure out kind of what is the best strategy to address all the long lasting impacts of this federal action. So thank you, once again, tracy. I think that answers my question.

**Reeve:** Great. And you know, at some point, that might be an appropriate topic for an executive session, as well.

**Hardesty:** Yes. Thank you.

**Wheeler:** Commissioner Fritz.

**Fritz:** Thank you, mayor. I have two questions for tracy. First, could you please give a 101 to people listening about why we can't just force them to do things? Why couldn't we refuse to allow the federal government to do what they did?

**Reeve:** So, I mean, for a number of reasons, but I would say that the fundamental and most primary one is the supremacy clause of the united states constitution, which says that

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federal what you is supreme overstate law, and local law. So assuming that they are not violating any law, we have very limited recourse. Of course, that begs the question of, are they violating any what you, and that's what -- you know, the issues we've been working on are continuing to explore with, you know. Universe law schools and other cities and nonprofits, and we believe that there are a number of ways that they are violating the law. So not with standing the supremacy clause, but it is a very tortured road to get there because essentially, you know, as you go up the chain, state law can trump local law, and federal law can trump state and local law. And so, and no pun intended with the current resident of the white house. So essentially, that's the primary issue.

**Fritz:** I think we need to find a new verb. That does not work for me any more. Thank you very much for that brief summary. That was my understanding, and with the community, I have a whole new appreciates for lawyers. The second question, I am not sure if you know the answer, when we have the Portland police officers that -- community members have complaints about, we know that they need to be referred to the independent police review. If the community members have complaints about what the federal offices have done to them, do you know where they complain or to whom they complain?

**Reeve:** Normally I would say that it depends on to whom the federal officer is assigned, you know, what agency there are probably different inspector generals, etc., for different federal agencies. It's my understanding that the u.s. Attorney for the district of Oregon is called for an investigation that the doj has undertaken an investigation. So the u.s., doj might be a good place to start.

**Fritz:** I was just about to say that, and that would be ted williams, I believe.

**Reeve:** Yes, yes.

**Fritz:** That's where complaints should be addressed and presumably also legal action, private rights of action can also be instituted. Thank you very much. I appreciate your work.

**Reeve:** Thank you.

**Wheeler:** Very good. Any further questions of tracy? Seeing none, Karla, I assume there is no public testimony on this item? Is that correct?

**Karla:** I believe no one did register.

**Wheeler:** Very good. Please call the roll.

**Hardesty:** Thank you, tracy. Thank you to your team. I am confident that you will look for every avenue to seek justice from a Portlanders because of federal actions, and I vote aye.

**Eudaly:** I thank you, tracy. I strongly support council taking every available option to pose - - oppose the federal government who are attempting to exploit this moment for political gain. We have introduced resolutions to stop the Portland police bureau from cooperating with federal forces, and in order to affirm the rights of members of press and legal observers who have been targeted by both local and federal law enforcement. My office is working on munitions restrictions resolutions with commissioner hardesty's office, and you may have heard that a week ago or so I directed pbot to file a cease and desist demand on behalf of the city against the federal occupiers who illegally erected a fence in our public right-of-way. This small act of municipal resistance to federal occupation has received an extraordinary amount of press coverage, especially in the right wing press, and we have heard from conservatives around the country who are outraged by this action. And I would just say to them, if you don't understand the issue with the federal government, coming into a city, breaking federal and local laws, violating the citizens constitutional rights, and refusing to move the fence, I suggest that you relinquish -- don't tread on me flags of the door. We will continue to resist this and any other attempts to occupy our city, and I stand in solidarity with Portlanders demanding justice for black lives and the transformation of our criminal justice system. I vote aye.

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**Fritz:** Thank you very much for your work. I know all of us are collaborating and figuring out ways that we can work together to bring peace and security to our community and to continue pursuing the black lives matter movement values and principles and goals, and that means that we need the federal government to let us do the work, which we are so capable of doing, and to let people demonstrate as is the first amendment right. So thank you very much, tracy, and your team, and thank you, mayor wheeler, for coordinating this and leading this, aye.

**Wheeler:** Thanks, tracy. I vote aye. The ordinance is adopted. I believe that completes our business for this morning, Karla. Is that correct?

**Karla:** That's correct, mayor.

**Wheeler:** Very good. We are adjourned until this afternoon at 2:00 p.m. Thanks, everybody.

**Council recessed at 10:32 a.m.**

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**Closed Caption File of Portland City Council Meeting**

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

Key: \*\*\*\*\* means unidentified speaker.

**August 5, 2020 2:00 PM**

**Wheeler:** This is the wednesday, august 5, 2020 afternoon session of the Portland city council. Karla, can you please call the roll.

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

**Wheeler:** And now we will turn this over for legal council to give an abbreviated version of the council rules, please.

**Linly Rees, Chief Deputy City Attorney:** Mayor, because we don't have any folks signed up to participate we don't need to do that today.

**Wheeler:** Okay, good. Thanks. Very good. Then the disclaimer. Under Portland city code and state law the city council is holding this meeting electronically. Members are attending remotely and the city has made several avenues available for the public to listen to the broadcast of this meeting. The meeting is available to the public on the youtube channel, [www..Portlandoregon.gov/video](http://www.Portlandoregon.gov/video) and you can submit written testimony. The council is taking these steps as a result of the covid-19 pandemic and the need to limit in-person contact and to promote social distancing. The pandemic is an emergency that threatens public health, safety and welfare which requires us to meet remotely by electronic communications. Thank you for your patience, flexibility and understanding as we manage through this difficult situation to do the city's business. Karla, we have one item pertaining to the residential infill project, if you could please read that for us.

**Item 648.**

**Wheeler:** Very good. Prior to each and every one of these hearings we have all declared whether or not we have any conflicts of interest. I have indicated that i'm a renter. That I have no conflicts of interest. Does anyone else have any changes to their statements around conflict of interest?

**Hardesty:** I have no changes to my statement.

**Wheeler:** Thanks, commissioner. I assume --

**Fritz:** No changes.

**Wheeler:** Commissioner eudaly ,i assume you're in the same boat? Yes. I saw her say yes. Good. Just to help everybody reorient on the proposals, the intent of the residential infill project amendments is to allow for more housing and different kinds of housing in zones that currently only allow single dwelling units. The project now includes a bonus if you build affordable housing and connects to the historic resources code project update to help guide growth, specifically in albina neighborhood. We heard public testimony in january. We held two work sessions to more fully develop amendments to the proposed draft based on testimony that we heard. We then heard additional public testimony last month on the amendments. We moved all six amendments into the final proposal on july 9th. Today we're going to be voting on the as amended residential infill project ordinance, findings and other supporting exhibits to reflect decisions made by the city council back on july 9th. Just to remind people we will then be voting to move this to second reading. This is not our final vote today. Could we get a confirmation, please, from lynley that that is the correct process as I described it?

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**Rees:** Yes. Morgan Tracy from bps will walk you through the amended documents that reflect the changes you made on July 9th. You will move those, vote on those amendments to the ordinance and package and have the final vote at a subsequent hearing.

**Wheeler:** With that we'll turn it over to bps project manager Morgan Tracy. He is here to walk us through today's agenda specifically. Morgan, good afternoon.

**Morgan Tracy, Bureau of Planning and Sustainability:** Good afternoon, Mayor, thank you. Thank you, members of City Council. We have a pretty short agenda today. Based on the decisions that Council made at your July 9 hearing, staff incorporated the changes you approved. Therefore today you'll be voting on the as-amended package. Afterwards I'll describe our next steps. So this as-amended package includes several items, first an updated ordinance that adds Title 30 changes needed to implement the deeper affordability bonus. It specifies two effective dates. The first set of changes related to Senate Bill 534, already in effect at the state, so these changes will become effective in the regular 30-day period. The remainder including allowing additional types of housing and caps on floor area will go into effect August 1, 2021 to provide time for the Bureau of Development Services and Bureau of Housing to prepare to implement the new regulations as well as time for the city to complete the state's acknowledgment process. Exhibit A, the amended findings updated to now reflect the testimony you heard. B, volumes 1 through 3 of the report which includes the staff report, code and commentary and appendices. A term that was approved in your amendments from July 9 was inadvertently omitted from Exhibit B. The change adds the words "adjusted lot" to the definition of lot lines and this will be corrected in the final documents. Next is Exhibit C, the comp plan map changes and lastly Exhibits D and E, zoning map changes which reflect the changes with the 82nd Avenue project. With that I'll turn it back to you to continue with the proceedings.

**Wheeler:** Thank you. I'll introduce as amended items including the amended ordinance including the revised maps. I'll seek a motion to approve the residential infill project as amended package and a second and then we'll vote on whether to pass to second reading. We'll have our final comments on the residential infill project when we have our final vote on August 12th. Then at the end of the meeting I'll ask Morgan to summarize the next steps. For now I'll entertain a motion and second on the as-amended package.

**Hardesty:** So moved.

**Eudaly:** Second.

**Wheeler:** We have a motion from Commissioner Hardesty, a second from Commissioner Eudaly.

**Rees:** Mayor, Linley Rees, I just would like to confirm that the motion and second include the very minor change that Morgan identified in Exhibit B, Volume 2, please.

**Hardesty:** The motion does include that.

**Wheeler:** Very good. We have a motion and second. Lynley, does that meet your legal muster?

**Rees:** It does indeed. Thank you.

**Wheeler:** Any further discussion? Please call the roll.

**Eudaly:** Sorry. I wanted to read a statement and I think this is the moment that I am supposed to do that, Mayor.

**Wheeler:** You can do it now, yeah. That would be great. Go ahead.

**Eudaly:** Thank you. Today is an important milestone for the city and before we get to the vote I'm excited to announce a couple items that I care deeply about and believe will be pivotal in keeping anti-displacement as a primary focus of our housing policies moving forward. First I'm happy to announce the creation of the Bureau of Planning and Sustainability's anti-displacement task force that will be seated and ready to begin its work in September. Our office participated or my office participated in the year-long cohort with Policy Link that shared strategies and policies of anti-displacement with other cities in the



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country. One of the outcomes of that work was a collaboration with the mayor and city bureaus to fund and create this new task force. I'm proud to have been a part of that and look forward to the mayor sharing more details about who will be involved with the task force and what their work plan will entail during its official kickoff hearing in september. Second i'm also excited to announce that the mayor and I have reached an agreement about the development of an anti-displacement policy that my office has been working on for the last three years. To address inequality we need to to address the racial wealth gap. Housing is a human right but an historic barrier to creating intergenerational wealth. Rip looks to create lower home prices but that won't help those who can't afford new construction and may disincentivize some. During my entire term in office I have been working with community partners on creating a tenant opportunity to purchase policy in Portland. This policy would give renters the right of first refusal when the home they are living in goes up for sale. Done right it can create an opportunity for homeownership by creating a way to buy the home they live in. Over the years we have done a lot of research and created various draft frameworks of the policy ,however what we heard from our partners is that there's still more work and outreach to do to ensure the policy centers bipoc renters. Therefore we will be bringing forward a resolution alongside the kickoff for the anti-displacement task force in september that will outline our process and solidify commitment from the mayor to provide bureau resources to bring forward a fully vetted proposal for council to consider. To be clear that work has already begun but the resolution in september will allow us to share our commitments and timelines. I'm grateful to the mayor for the offer of bureau resources and for alleviating some of my concerns about the potential unintended consequences of this zoning code reform. With these two announcements i'm ready to move forward with the next steps on residential infill project.

**Wheeler:** Thank you, commissioner eudaly. I appreciate the partnership between our offices, our conversations about housing and tenant policy and the many ways that we will be able to weave together our bureau's smart growth efforts. During our briefing with the city bureaus, developers and residents I hear the need for the city to continue to play a role to connect housing to those earning less than area median income, those who identify as black, indigenous, people of color and with disabilities in our community. I appreciate the work your office is doing along with the community alliance of tenants, Portland african-american leadership forum, living cully, the asian pacific american network of Oregon and the right to the city, all who have communicated interest in exploring whether and how a tenant opportunity to purchase policy could work in the city of Portland. I have heard the need to explore tenant-led solutions from community partners. The city's covid-19 equity tool kit and our unanimous vote in support of the may 20th resilience resolution confirmed this very direction. I appreciate, commissioner eudaly, your leadership in speaking with tenants and tenant led organizations to identify whether and how to support creation of a first right to purchase for tenants to buy the building that they call home if and when that building owner signals intent or interest to sell or in the event of a foreclosure. I have as you just described authorized and directed my bureaus to provide sufficient staff resources to provide technical assistance to these tenant-led conversations and I look forward to continuing to work with you, commissioner eudaly, our colleagues, and our tenant-led organizations on whether the right of first purchase option makes sense so thank you for that partnership. We have a motion on the table. We have a second. This is again the residential infill project as amended. Karla, can you please call the roll.

**Hardesty:** Aye.

**Eudaly:** I want to thank all the staff and community work that have gotten us to this point. I look forward to our final vote. I vote aye.

**Fritz:** I'll make my comments next week. No.



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**Wheeler:** Aye. All right, very good. Before concluding I would like to thank my fellow commissioners, staff and community advocates for all the work that's gotten us to this point. The motion has passed. I look forward to saying more along with my colleagues when the -- about the residential infill project when it comes back to us for a final vote. Morgan, can you come back and go over the next steps for us, please.

**Rees:** Thank you. That's great. We will be returning to council on August 12th, so a week from today, at 9:45 a.m. Time certain for the second reading and final vote on the project. After that vote staff will begin working on implementation. As I mentioned previously the effective date for the first set of adopted regulations to come into effect will be September 11th, 2020. These are the rules that implement Senate Bill 534. The remainder of the package including expansion of housing types and limits on building scale would come into effect August 1, 2021. That's it for today.

**Wheeler:** Very good. Morgan, I understand you will not be joining us for second reading on August 12th. So I do want to take this opportunity to express our sincere appreciation for your incredible work and leadership throughout this project. You've become a fixture. What started as a simple project evolved into a comprehensive and truly robust response for providing more housing choices for Portlanders in more places. This is in large part due to your leadership and your capacity to listen to community members and to think creatively about how to respond to their needs. During the five years working on this project it's my understanding that you managed a 26 member advisory committee, you managed numerous contracts, you produced no fewer than eight drafts of the proposal by my count. You executed strong engagement process that drew out thousands of community members over the last five years. You participated to my count in at least ten planning commission meetings. You sent the largest measure 56 public notice in the history of Oregon. You coordinated with all of our service bureaus. You responded confidently and transparently to media requests and wrote 275 pages of findings to ensure this project is advancing the goals of the comprehensive plan. Of course you have come to the city council twice, once with concept report, now with the final ordinance adoption. It's been a truly long road. We know you didn't do this alone and that many others contributed in important ways to this effort, but in my opinion you were really the guide that kept this project going in the right direction. We all here ask a lot of our staffs and you have delivered the project with openness, professionalism, patience and just as importantly humor. It's been a joy for all of us to be able to work with you. On behalf of all of us on the Portland city council thank you. Thank you for all you've done. Thank you for your considerable efforts to move this city forward. I see some hands raised. Commissioner Eudaly then Commissioner Fritz.

**Eudaly:** I had not raised my hand, but is Morgan leaving us? Or just --

**Tracy:** I'm going on vacation next week. [laughter]

**Hardesty:** I was expecting a retirement announcement. Enjoy your vacation. Be safe.

**Wheeler:** He will. I can tell you what he's not going to be thinking about while he's on vacation: [laughter] Commissioner Fritz.

**Fritz:** Thank you, Mayor. I was just reflecting that maybe we should delay the vote until Morgan can get back but I'm pretty sure he would rather not. I also want to thank Morgan and his team. It's a testimony that while I have a respectful disagreement I still have the utmost respect for Morgan and his team and I very much appreciate all of the time they spent with Claire Adamsic and me walking me through, making sure I knew exactly why I don't support stuff. So thank you very much for your professionalism and your skill in guiding this project. Responding to community members as well. I know you've done that as well, so thank you.

**Tracy:** Thank you.

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**Wheeler:** Thank you, commissioner. That concludes our residential infill project item for today. Commissioner Hardesty.

**Hardesty:** Hi, there. Remember me? I also wanted to just add my appreciation. As someone who came in in the middle of this project, I always felt like I had excellent information, any questions I had were answered, and Joe Zender, I want to say you are also just an incredibly valuable resource in the city of Portland. I don't know how you have been able to keep your head so low all this time at the city. But the work that was done especially I still refer constantly to the report that you put together in the middle of this project that really centered the racial history of housing and Portland and why we got there and how we got there and what our commitment is to the future. So remarkable work and remarkable patience to continue to answer questions that I'm sure you've answered 500 times before I asked. So I appreciate the whole team. Can't wait to vote to get this thing implemented. Thank you. Thank you, mayor.

**Wheeler:** Thank you, commissioner Hardesty. We will continue this conversation then on August 12th at 9:45 a.m. Time certain. Is that the correct time and date, Karla?

**Karla:** That is, mayor.

**Wheeler:** August 12, 9:45 a.m. Time certain. Be there. With that, colleagues, we are adjourned.

**Karla:** Thank you.

**At 2:21 p.m., Council adjourned.**