



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **12th DAY OF AUGUST, 2020** AT 9:30 A.M.

THOSE PRESENT BY VIDEO AND TELECONFERENCE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fritz and Hardesty, 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 and Channel 30. The public can also provide written testimony to Council by emailing the Council Clerk at 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; Linly Rees, Chief Deputy City Attorney

Item No. 655 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS		
649	Request of Marsha Joslin to address Council regarding the climate of the city (Communication)	PLACED ON FILE
650	Request of Elizabeth Nathan to address Council regarding fundamental police reform (Communication)	PLACED ON FILE
651	Request of Richard Carson to address Council regarding the cultural pandemic (Communication)	PLACED ON FILE
652	Request of Richard Rubin to address Council regarding begin proactive, full-community- involved preparations for the winter needs of the homeless population (Communication)	PLACED ON FILE
653	Request of Shannon Hiller-Webb to address Council regarding an update to Ordinance No. 190044 for grant agreements to support Neighborhood Associations (Communication)	PLACED ON FILE

TIMES CERTAIN		
654	<p>TIME CERTAIN: 9:45 AM – 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 648 introduced by Mayor Wheeler; amend Code Title 33 and Portland Comprehensive Plan and Zoning Maps, and Title 30) 45 minutes requested (Y-3; N-1 Fritz)</p>	190093 AS AMENDED
CONSENT AGENDA – NO DISCUSSION		
Mayor Ted Wheeler		
Office of Management and Finance		
*655	<p>Authorize a grant agreement with Worksystems Inc. for the SummerWorks youth employment program within City Bureaus for summer 2020 for an amount not to exceed \$551,600 (Ordinance) (Y-4)</p>	190097
*656	<p>Pay property damage claim of Michael Shindler in the sum of \$18,666 involving the Portland Bureau of Environmental Services (Ordinance) (Y-4)</p>	190089
Portland Parks and Recreation		
*657	<p>Authorize the acceptance of a donation of .46 acres of real property on NW Creston Rd adjacent to Forest Park to be used for park purposes (Ordinance) (Y-4)</p>	190090
*658	<p>Authorize the acquisition of 9.8 acres of real property at 9715 NW Newton Rd adjacent to Forest Park for \$350,000 to be used for park purposes (Ordinance) (Y-4)</p>	190091
Commissioner Jo Ann Hardesty		
Fire & Police Disability & Retirement		
*659	<p>Amend the Fire and Police Disability, Retirement and Death Benefit Plan to comply with an arbitration decision for final pay calculation for former members of the Portland Police Commanding Officers Association and Portland Fire Fighters Association (Ordinance) (Y-4)</p>	190092

<p>REGULAR AGENDA</p> <p>Mayor Ted Wheeler</p> <p>City Attorney</p>		
<p>660 Update resolution requiring Portland Police Bureau to immediately cease cooperation with militarized federal forces (Resolution; amend Resolution No. 37496) 15 minutes requested (Y-3, 1-N Hardesty)</p>		<p>37502</p>
<p>Office of Management and Finance</p>		
<p>*661 Authorize a temporary interfund loan not to exceed \$3,500,000 from the Housing Investment Fund to the Housing Development Costs and the Grants Funds to fund program requirements on affordable housing projects (Ordinance) 20 minutes requested (Y-4)</p>		<p>190094</p>
<p>Portland Housing Bureau</p>		
<p>*662 Authorize Intergovernmental Agreement with Metro to receive Bond Proceeds and implement Portland's Local Implementation Strategy to satisfy Metro's Regional Housing Bond goals and requirements (Ordinance) 20 minutes requested (Y-4)</p>		<p>190095</p>
<p>*663 Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Vibrant Cities Fargo located at 25 N Fargo St (Ordinance) 10 minutes requested (Y-4)</p>		<p>190096</p>
<p>Commissioner Chloe Eudaly</p> <p>Portland Bureau of Transportation</p>		
<p>664 Assess benefited properties for street, sidewalk, stormwater, water main and sanitary sewer improvements in the SW 45th Ave and California St Local Improvement District (Hearing; Ordinance; C-10048) 15 minutes requested Motion to add labels to Exhibit B, Exhibit C, and Exhibit E: moved by Eudaly seconded by Hardesty (Y-4)</p>		<p>PASSED TO SECOND READING AUGUST 19, 2020 AT 9:30 AM AS AMENDED</p>
<p>Commissioner Amanda Fritz</p> <p>Water Bureau</p>		
<p>*665 Authorize the City of Portland, on behalf of the Portland Water Bureau, to acquire certain permanent and temporary property rights necessary for construction of the Willamette River Crossing Project through the exercise of the City's eminent domain authority (Ordinance) 15 minutes requested</p>		<p>REFERRED TO COMMISSIONER OF PUBLIC UTILITIES</p>

At 12:30 p.m., Council adjourned.

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2:00 PM WEDNESDAY/THURSDAY AUGUST 12-13, 2020

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

MARY HULL CABALLERO
Auditor of the City of Portland

Karla
Moore-Love

Digitally signed by
Karla Moore-Love
Date: 2021.02.09
22:34:07 -08'00'

By Karla Moore-Love
Clerk of the Council

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

August 12, 2020
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 12, 2020 9:30 AM

Wheeler: This is the wednesday, august 12, 2020 morning session of the Portland city council. Karla, please call the roll. [roll call taken]

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

Wheeler: Under Portland city code and state law all members of the council are attending remotely or by video and teleconference and the city has made several avenues available to listen to the audio broadcast. The meeting is available on the youtube channel, www.Portlandorg.gov and channel 30. You can email the council clerk. The council is taking these steps as a result of the covid-19 pandemic and the need to limit in-person contact and promote physical distancing. The pandemic is an emergency that threatens the public health, safety and welfare which requires us to meet remotely by electronic communication. Thank you to everybody for your patience, your flexibility, your understanding, resilience as we manage through this challenging situation to do the city's business. Before we jump into the business I want to start today by thanking loretta smith and dan ryan for both running for the city council seat that was previously held by our colleague and friend nick Fish. I want to congratulate dan ryan. It looks as though this morning people are calling the race in his favor. I just want to say to dan how much we all look forward to having him as a colleague on the council once the vote tally is certified by the city's auditor, which i'm told should happen within the next several weeks apparently by the end of the first week in september is what people are suggesting. September 9th as the target date. Don't hold me to that. At any rate, congratulations, dan, welcome aboard. Karla, with that we'll start with communications.

Karla: Do you want the city attorney to read the council rules?

Wheeler: Thank you, I apologize for that. If we could hear from our very capable and able city attorney on the rules of order and decorum.

Linly Rees, Chief Deputy City Attorney: Good morning. To participate you may sign up in advance with the clerk's office for communications to speak about any subject. You may also sign up for public testimony on resolutions or first readings of ordinances. The published council agenda at Portlandoregon.gov/auditor contains information about how and when you may sign up for testimony during electronic meetings. Your testimony should 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're a lobbyist. If you're representing an organization please identify it. Presiding officer determines 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 conduct such as shouting, refusing to conclude your testimony when your time is up or interrupting others' testimony or deliberations will not be allowed. If there are disruptions a warning will be given has it further disruption may result in the person being placed on hold or ejected from the remainder of the electronic meeting. All coining meetings are recorded. Thank you.

Wheeler: Thank you, lynley. With that, communications is first up.

Item 649.

Wheeler: Good morning. Marsha, are you on? Are you unmuted?

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Karla: No, I haven't seen marsha sign in yet.

Wheeler: All right.

Item 650.

Wheeler: Good morning.

This is actually jennifer perot. She asked that I fill in for her and read her statement. She had a last minute family emergency.

Wheeler: Under those circumstances i'll allow it. Thank you.

I really appreciate that. I'm a small business owner. Elizabeth and I work together with other businesses to support the black lives matter movement. In june we circulated a petition entitled defund the police which now has 6,000 signatures by owners of businesses in the city. I want to be quick but I want to make the point despite several reports to the media the vast majority of small businesses at least in our networks support the protests and desire big fundamental change to policing. I really want to refer to maureen backman's statement as the president of the patman neighborhood association regarding property damage in the kenton business district. Our human owned small businesses were unscathed. The minimal property damage is fixable and replaceable. What is not replaceable are the human lives lost in our country. 70 days into this ppb has refused to discuss a path forward. I can't condemn tactics I may not like. The reality is more in our community radicalized that's a success. Why ppb decided to corral folks in a neighborhood with no escape raises questions. I'm determined to ask these questions and demand answers. It I would like to point out folks in the protest last night came together today to raise over \$4,000 for restoration of the plaza. This is our community too. We're more alike than apart and black lives matter. All this to say, this is me, we believe deeply in this movement. We understand it may come at occasional cost to us but we have enough faith in this project and our community and there's no financial cross that can possibly outweigh another black life. We see batons swinging at justifiably angry young people, people getting face punched by large men in riot gear then we see you talking about property damage. We ask that you stop invoking small businesses that the protests are violent and somehow in contradiction with the movement. Thank you.

Wheeler: Thank you.

Item 651.

Karla: He contacted us and will not be speaking.

Wheeler: Thank you, Karla.

Item 652.

Richard Rubin: I'm here, can you hear me?

Wheeler: Loud and clear.

Rubin: Okay. Now is a streak of warm, dry, sunny days when in a few short months that will change. Seasonally placed on the homeless and organizations providing basic survival services. Add the likely condition of continuing suggested or mandated restrictions on spaces and groups small and certainly large. Limits will continue on both public library system, community centers, the max and private nonprofit such as social service providers facilities. This will extremely affect both daytime and nighttime ability to fulfill and not obstruct the fundamental physical, mental and emotional needs of a growing population, needs that are a basic human right. Questionable. Now even that like all of us is under huge new stress. I am therefore requesting the urgent organization of a places for me, not the virus, project, with the involvement and participation of the usual actors in homeless matters, city, county and service providers and service providers and fresh minds and voices entities and participants from wherever they can be found. It will be necessary to access both new ideas and approaches and probably new actors and facilities to offer even basic life support and we should hire them that. This means first addressing the absolute need for safe, stable, private places to sleep and maintain important possessions.

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If there's inadequate planning and support then no more tent evictions. Then dry, warm day type spaces for eating, socializing, work, study, charging devices and leisure. Services to those with special needs must also continue. This will be a huge challenge requiring rapid and creative thinking and energy and perhaps unwritten rule breaking and upward demands. Hint, FEMA and the National Guard have very useful facilities and equipment. I'm sure the city does as well. There's probably more hidden. The state must support. The feds don't care and there is space available for stable or at least seasonally stable accommodations. That was my statement.

Wheeler: Thank you. Appreciate you being here.

Item 653.

Wheeler: Good morning.

Shannon Hiller-Webb: Dear mayor, city council members, I came before you July 9 with 19 other concerned residents with prepared testimony accompanying power point and video to speak to our concerns in regards to Southwest Neighborhoods Inc. Coalition, Sweeney. We appreciate the council's vote on July 9 to withhold funding from Sweeney pending forensic audit and applaud the step taken for oversight and accountability however a request was made that we not provide public testimony at that time instead each council member and the mayor offered a private audience with all of us. We were concerned about the difficulty in assembling 20 people multiple times to share our message but agreed to do our best. I'm happy to share that several were able to meet with commissioners Hardesty and Eudaly and we appreciate your time and attention to the many complex issues presented by Sweeney. We have reached out multiple times to Commissioner Fritz with no response and have been unsuccessful in securing a time to meet with Mayor Wheeler. We realize Portland is reeling from the pandemic crisis and a focus of the Black Lives Matter movement. It is with this in mind that the group of 20 of us decided to record our testimony on video so each of you can listen to our testimony at your convenience and fulfill the commitment you made to learn about our concerns that should inform the work of the forensic audit at a minimum. We have worked tirelessly to pull this together after working equally hard to assemble before you on July 9. We hope you will watch this video in the near future. It's been a month and there have been important changes worth noting so the video does include new updates. For example Sweeney recently secured an attorney to represent them in regards to civic life's records request and forensic audit. As of today the president has refused to accept civic life's information to learn about the timelines and expectations for a transparent audit process. Yesterday the secretary suggested they may reach out after August 26 to set up a meeting. Sweeney pushed it nearly two months after the audit was requested. In addition to two smaller funders and these in total comprise 85% of Sweeney's operating budget. These two smaller funders are the Bureau of Environmental Services and West Multnomah Soil and Water and both informed Sweeney they are removing their funding. Our testimony can be viewed on YouTube and I'm entering in as official public testimony. I have also provided council clerk with a power point side presentation with video embedded for ease of record keeping. Thank you for your time as always.

Wheeler: Shannon, thank you. I look forward to watching that. I'm sorry we haven't been able to get a meeting up to this point. I will view the video and the testimony and I'm appreciative of you being here this morning.

Hiller-Webb: Thank you.

Karla: Mayor, we have 649, Marsha Joselyn, now.

Wheeler: Go ahead, Marsha.

Marsha Joslin: Good morning. Greetings and in God we trust and one nation under God. I wanted to reach out to Mayor Ted Wheeler and the council today because I am concerned about the climate in Portland and all of the protests and things that are taking place with

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black lives matter. I have tried to reach you, mayor wheeler, for a year, so it is an honor to be before you and the council today and finally get an opportunity to speak on the conditions that I see and i'm not only concerned about the outward systemic racism that the country has been outraged about, but I am concerned about structured racism, systemic racism, institutionalized racism, interpersonal systemic racism and interpersonallized systemic racism. I want to be able to get an opportunity to meet in a personal setting to share some of my personal experiences. I have experienced because of my complaint against law enforcement and your city I have experienced just what the gentleman in west linn had experienced where police authorities have gotten with my job and tried to bring criminal charges or to set me up or frame me for criminal case. I'm concerned about this because there ought to be a platform where you can complain about law enforcement and I have not have to go through the things that you have to go through as black people in society. I have also had many armed corruptness at the hands of your city. My income tax were taken and I believe that they were intentionally done, taken, because that would mean irs was involved locally. That would mean that cash Oregon would be involved locally and the irs advocates, and all would be illiterate on how taxes are done. Because I have a degree in accounting, I was able to catch them --

Karla: That's three minutes.

Wheeler: If you have a couple more points, go ahead and make them, marsha.

Joslin: I want to share this last. My girlfriend's husband was killed over at 122nd and division, and they had four lights at each intersection and I asked them what the lights do because they have not caught the person who ran over him. But my concern even more than that they told -- the investigator told my friends that they would be doing a crime stopper which has never happened, and that is concerning to me why they didn't do what they said they were going to do. Lastly, I am concerned about many different issues at the hands of law officers. Your dmv said that my license was suspended, and they approached me after nine and a half years, almost ten years, and I had a valid license and after having one because of my complaints now I have an issue with my license. Hopefully i'll get to speak with you in person and address these issues or come up with some type of overseeing that you can oversee your officers and make sure that Portland is a safe place for black people within other areas and not just outward police brutality that your offices will have an accountability for slandering people's names and doing things to retaliate after there has been a complaint launched against them. Thank you.

Wheeler: Thank you, marsha. Appreciate you being here today. Karla, on the consent agenda has any item been pulled?

Karla: Yes, mayor, we had a request for 655.

Wheeler: Please call the roll on the remainder of the consent.

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

Wheeler: Aye. The consent agenda is approved. Our one time certain item, 654.

Item 654.

Wheeler: Very good. Colleagues, today we take our final vote on the residential infill project. This is a project that has been with my administration throughout all four years of my administration plus the year prior to that. So this has been going on for quite some time. Before we begin our substantive discussion on the residential infill program I want to announce as I always do that i'm a renter in the zone. I don't believe there's any conflict of interest. I'm just disclosing this as a potential conflict of interest. Are there any other similar disclosures anyone would like to make prior to the vote?

Hardesty: Commissioner hardesty is also a renter and do not anticipate that there's a conflict but for caution sake I will put that on the record.

Wheeler: Very good. Commissioner Fritz?

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Fritz: I am a homeowner living in the city of Portland. I will neither be benefited nor harmed by this action therefore I have no conflict.

Wheeler: Commissioner eudaly.

Eudaly: Thank you, mayor. I'm also a renter in the city of Portland and I have no conflict.

Wheeler: Very good. Colleagues, this is a second reading so we have already heard extensive presentations. Extensive public testimony. Lots of deliberations, good conversations, and with that is there any further business before I call the roll? Karla, please call the roll.

Hardesty: Thank you. This is our final vote on rip is my understanding; is that correct?

Wheeler: Correct.

Hardesty: We took the amendments the last time. Let me just say that for me, I believe that without the residential infill project the city of Portland would find itself with 75% of its residential properties built out by 2035. This could lead to a scarcity market making it even more challenging for people to afford to live in the city of Portland. With the residential infill project the buildout percentage is expected to be only at 45%. This will increase the amount of space Portland has to grow for decades to come. I also want to thank all the constituents who showed up in force to make sure their voices were heard on this critical topic. The information provided in testimony throughout this process has helped inform my decision about this and I believe this proposal is stronger because of the amount of testimony that we received from all sides during this debate. From the dias and in countless meetings i'm happy with the amount of thoughtful consideration and dialogue that has gone into this process. This is a complicated matter and I believe the amendment package that we voted on a couple of weeks ago will help ensure rip's success. I appreciate that many people wanted a different set of amendments, and I want to reiterate that this is not the conclusion of the discussion. I will be keeping a close eye on how rip impacts the city and am open to having conversations about how we can improve the system moving forward. I want to thank all the hard work that staff have put into this proposal specifically I would like to thank jenna hughes for writing a racist history of Portland planning report as well as ryan, karen and tom armstrong for their assistance on what I believe was a very, very strong report. Additionally I want to thank morgan tracy, sandra wood, tony lamm and joe zender for all their great work on this important policy. This policy has been analyzed, discussed and drafted more times than I can count and throughout the process, staff have engaged and updated me and my office on a regular basis. This level of thorough work and communication is of critical importance for all matters that come before the city council and doubly so for a topic as complicated as a residential infill project. I look forward to casting my final vote today and i'm happy to vote aye.

Eudaly: The residential infill project or rip has been in the works for years, long before I took my seat on city council. In its years of development rip has become a zoning lightning rod and has pitted Portland's affordable housing advocates against people concerned with neighborhood character and preservation. This conversation is complex and it's been challenging and because I respect so many people on both sides of this debate I want to take a couple of minutes to delve into some of the finer points that I think it's important the community understand. I have had four primary concerns during the development of this policy. One is that we encourage the preservation of existing homes. We don't want to see a rash of demolitions. We have thousands of quality old homes and those homes are the greenest homes that we have, our existing homes, and there are lower impact ways to increase units and density. So that's one. Two is to incentivize the types of housing we need, which are units affordable to households earning 100% of mfi, more accessible units. Three, prevent displacement. Four deliver the benefits to rip of rip to average homeowners who currently do not have access to capital to develop adus or do internal

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conversions. I would say that we have made progress on all of these except for delivering the benefits of rip to average homeowners, and I am committed to continuing this work even though we're passing the policy today, as commissioner Hardesty noted we're not -- it's not done. So first I want to talk about encouraging preservation. The project reduces size of development allowed. Currently our code allows for homes to be demolished and replaced with a 6750 square foot single family home on most lots in Portland. I think we all know what those houses look like. That they are not remotely affordable and not the type of housing that we want or need in Portland. So under today's proposal a standard development would be no bigger than 3500 square feet, still quite large but nearly half the size of what's allowed today. My office championed the deeper affordability amendment which will ensure when a developer chooses to provide more affordable housing they will get more space to build with which will create more affordable family sized units. We also have visitability requirement which is exciting to me as a disability advocate and someone who struggled for years to find affordable accessible housing for my family. Rip will require visitable, which is a strange, odd word for some people, visitable units in at least one unit on sites that are larger than a duplex and that means that at a very minimum a person in a wheelchair can access the first floor of the home so they can enter the home. I believe there's a bathroom on the first floor, and that's exciting. That also provides potential for converting those visitable units into accessible fully accessible units. Rip will increase accessory dwelling unit options, provides greater flexibility for ADUs which will incentivize internal conversions and by limiting the size of new homes again we're encouraging homeowners to build on their existing homes and create lower impact density. I want to acknowledge some of the community concerns about rip and address misinformation I have heard regarding this project and share why rip is so critical for Portland's future. Rip will provide a variety of housing choices. Rip doesn't ban single family homes and will not destroy Portland's neighborhoods. What it will do is open the door for the missing middle housing to exist across our city. I think it's important to give perspective on the potential impacts of this project. Current estimates suggest that over 20 years we may see an additional 5,000 units built in Portland because of rip. That's 250 units a year. That's -- I don't think that's what people are imagining. I think they imagine bulldozers razing entire neighborhoods and replacing them with skinny houses or whatever your worst nightmare is and that's not likely to happen. Our current default one size fits all policy reinforces neighborhoods of increasingly unaffordable single homes. Rip creates more opportunity for different types of housing that will meet our current and future needs and provide more housing options for Portlanders with modest income. I want to point out that despite our urban growth boundary and despite a significant population increase we are not even in the top 25 most dense cities in the country, so again I think some of the fears about density are unfounded. And I'm almost done. Bear with me. We cannot deny the impacts that exclusionary zoning has had and their racist origins. When the Supreme Court ruled about 100 years ago that it was unconstitutional to present sale of property to an individual based on race we saw zoning codes proliferate across the country and income became a proxy for race. Because by setting the entry price so high, communities were able to exclude certain types of housing and certain people. So I think that is a vitally important part of the conversation that BPS did a great job detailing in their presentation to us about the racist origins of zoning. I'm going to wrap this up with thank yous to all of the staff and community members who have stayed engaged, written and met with my office over the course of the last three and a half years. I'll include a full thank you to everyone involved in a post online but I want to specifically thank neighbors welcome for their continued advocacy in rip. Thank you to BPS's dedicated staffers particularly Morgan Tracy and Sandra Wood, and finally thank my senior policy advisor Andres Oswell who first started working on the planning commission and has seen this project through to its completion.

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Portlanders pride themselves in welcoming all and this policy demonstrates our inclusive values. I happily vote aye.

Fritz: So residential infill project was initiated in 2016 as part of the comprehensive plan adoption. The concept plan that the council adopted in december of that year laid out a realistic and attainable approach in fulfillment of key comprehensive plan goals for which anti-displacement and housing affordability activists had worked so hard to advocate. The current plan strayed from those original commitments and contradicts comprehensive plan policies around gentrification, equitable development and climate change. By allowing development far from centers and corridors we're allowing housing to be developed in areas without safe, immediate access to transit. We're promoting continued reliance on cars which is antithetical to our climate goals. Our planet is on fire. In recent weeks we saw 100 degree temperatures in the arctic. We saw the last intact ice field of canada break off. Our planet is on fire. If we don't act with urgency all human life on earth is at risk. I understand my colleagues' desire to be seen to be doing something to provide more housing for Portlanders. There is no recognition in this ordinance that in the eight years previous councils worked on the Portland plan and comprehensive plan the council added capacity for 49,000 new homes. We have plenty of zoned capacity for new developments. All plans lot by lot to add housing where new residents will have access to transit, services, jobs, sidewalks and other amenities that make urban lives joyful. Has capacity for 249,000 new homes. This council is voting for changes that throw out 40 years of land use planning in Portland by adding more density without regard for access to transit and services. Our planet is on fire. There is no more important issue at stake in this vote. Putting new homes where they will never have transit, never have sidewalks, never be close to jobs and services will mean that we won't be able to meet the climate emergency goals we all voted for a few weeks ago. I live eight miles from downtown. My neighborhood has capacity for hundreds of new homes. Absent adequate sidewalks and infrastructure new residents will have to drive to groceries, jobs, schools and services. While I welcome new neighbors I don't want them on those terms. Even acknowledging the immediate need for affordable housing this ordinance won't accomplish that goal. All four of the people of color and east Portland representatives on the planning and sustainability commission voted against it because of its known impact on demolitions and displacement in neighborhoods vulnerable to developers buying up affordable rentals and homes that would be available to first time homebuyers. We heard this from the dissenting commission members who voted against the plan. It narrowly made it through the commission on a 5-4 vote with the casting vote of the forwarding motion made by a developer who had to recuse himself due to his financial interest in the outcome. I greatly appreciate the work of those who are committed to addressing the challenge of displacement threats. I thank the community leaders who championed adoption of anti-displacement policies in the comprehensive plan as well as the dedicated staff of the planning and sustainability anti-displacement team. I honor the work of tony lamm who we lost two weeks ago. Tony brought commitment to racial justice for his work at the city and his colleagues will continue to carry the torch on the work that he valued deeply. Thank you, andrea pastor, katherine hartiger. I honor you. Unfortunately this disrespects the policies on anti-displacement we worked so hard to enshrine. Gentrification displacement risk. Evaluate plans and investments, significant new infrastructure and significant new development for the potential to increase housing costs for or cause displacement of communities of color, low and moderate income households and renters. Identify and implement strategies to mitigate the anticipated impacts. Policy 3.3, equitable development. Guide development growth and public facility investment to reduce disparities. Encourage equitable access to opportunities. Mitigate impacts of development on income disparity displacement and housing affordability. And produce positive outcomes for all Portlanders. Policy 7.4, climate change. Update and implement

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strategies to reduce carbon emissions and impacts and increase resilience to plans and investment and public education. I believe all members of this council share similar values about providing housing and homeownership options that prioritize wealth generation and mitigate displacement risk amongst black, indigenous and people of color communities. In the past people of color I reject the allegation that people of color are intentionally excluded now. Zoning is not the problem. I have seen it happen in my hometown in yorkshire, england. When I grew up there were no people of color living near me. Now it has majority minority homeownership. I believe the zone changes proposed or being adopted do not protect homeownership opportunities and will instead have the adverse impact of concentrating wealth in the hands of a small group of developers and corporate rental owners. It will promote more rental housing, not wealth creation through homeownership and not necessarily even more affordable rental housing. Our planet is on fire. In allowing the development of try and fourplexes on gravel and curbless streets we have offered a dubious solution in the local transportation improvement charge that will not guarantee that sidewalks will be built wherever new developments occur. In fact it will ensure people living in the new homes will never have paved streets or sidewalks in their lifetime. By including the previously identified displacement risk areas in the current plan new infill development may be concentrated in rapidly gentrifying areas. This vote disproportionately affects and displaces those people. The plan will perpetuate further displacement of black, indigenous communities. There's no assurance they will be better off as a result of these code changes. As I mentioned last week i'm grateful to the careful work of the bureau of planning and sustainability staff to include my team, the community and me in this process as it unfolded. Thank you, joe zender, sandra wood, morgan tracy and julia for your work over many years. I'm very sad this project represents a significant step back in good land use planning and climate action planning for Portland. Our planet is on fire. This action will make it burn faster. I am grateful to claire adamsic and for their good work to support good land use planning in Portland and everyone who participated in the Portland plan, the 2016 comprehensive plan and this process. This may be the saddest vote I have cast in 12 years on the council. No.

Wheeler: There are many thank yous I would like to give in shaping this five-year project. First I want to reflect on the conversations that the residential infill project has sparked throughout our city. For decades as people are aware Portland and the state have long been admired and studied by land use planners as a smart growth experiment that's gone largely right. People who study Oregon's land use planning decisions learn about governor tom mccall and the broad and diverse range of supporters behind senate bill 100, the original legislation that created a statewide land use planning system in Oregon. This system protects Oregon's natural working plans. It encourages vibrant, walkable, rollable and bikeable neighborhoods and gave Oregonians a seat at the table throughout land use decisions. At the same time, our community members, nonprofit organizations and our city staff have brought to renewed life the unfortunate outcomes of market driven housing. A system that doesn't meet our goals of creating housing for all in every neighborhood of Portland. This destructive side of Oregon's land use planning program includes the web of laws and investments that exclude black, indigenous and people of color from our neighborhoods, our schools, our places of worship, recreation and work. It's clear to see the consequences of these laws when we look to the data. Our poll 10 housing reports, u.s. Census bureau data, growing list of those applying for permanent affordable housing, ever expanding camps of those experiencing houselessness. The covid-19 pandemic has only exacerbated these realities. Why is this still happening? Why after the passage of the civil rights act of 1964 and the fair housing act of 1968 and so many landmark supreme court decisions are we still plagued with the symptoms of a broken system? I encourage those watching or listening to this to read, to watch and to listen to those who have

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documented key milestones and decisions to help answer this question. The color of law written by richard rothstein. Any youtube video and research publication by trisha rose at the center for the study of race and ethnicity in america at brown university. Evicted by matthew desmond. The works of dr. Robert bullard often named the father of environmental justice. The new jim crow by michelle alexander. Freedom is a constant struggle by angela davis. The fire next time by james baldwin. Research about housing policy and displacement from Portland's own dr. Lisa bates and marissa zapata here at Portland state university. These thought leaders help us learn about the bigger picture, the why, the levers of power and the decisions that have been made that have harmed millions and benefited a select few. Despite the great accomplishments of our original land use planning and zoning laws, these new thought leaders are showing us that what we have in place, though good, is not great. Though it serves many it does not serve all. We must continue to come together to listen, to read, to discuss, to center and support those who are experiencing housing instability and to take action in our land use and development decisions that make Portland the home for everyone. I'm not going to pretend that the changes to this zoning code that we're about to adopt rectify all of the past harms. They don't. But I fully believe that allowing for more housing types and a greater mix of incomes in a single dwelling neighborhood that covers, by the way, almost half our city's geography, is a crucial step in the right direction. This brings me to my thank yous to the many people who shaped the residential infill project and have made this change possible. As I said over the entirety of my administration in my leadership of a number of the bureaus involved in this process, also prior city councils and administrations. First I thank my colleagues. We have had some very spirited conversations, and they have included everything about the role of government relating to the built environment, encouraging housing affordability and availability and what each of us think neighborhood character means. Because not everybody has the same definition of what constitutes neighborhood character. Commissioner eudaly. I want to thank you for your steadfast focus on ensuring tenant protections in every land use legislative policy that has come to council. This project is no exception to that. I appreciate the solutions oriented approach that you brought having significant bonus for permanent affordable housing after working with several community partner organizations. I also appreciate your laser focus on policy language to ensure that the proposals require some of the units to be accessible for people of all ages and all abilities. Thank you, commissioner, thank you to andres oswell and jamey from your office for their leadership as well. Commissioner hardesty, I want to thank you for your vision and insights on how we can make Portland more inclusive, more livable and more affordable. I won't forget an insightful question you frequently raise particularly as I think about the signals we tend to send to the housing market which is how do we legislate greed? I appreciate you keeping us honest and clear about the outcomes of this missing middle housing proposal. Thank you, commissioner, thanks to your staff in particular derek bradley. Commissioner Fritz, I want to thank you for your clear position on this policy and on senate bill 534, state legislation that allowed houses on certain narrow lots. It's because of your experience, your wisdom, and your professionalism that my staff and I can engage in substantive public policy debate. Your comments last week embody how you approach this work. You argue the policy and not the person. I want to thank you for setting an extremely high bar in these public policy debates. I believe we're all better for it. Thank you, commissioner, and thank you to claire adamsic. Next thank you to our community partners, to the diverse and broad range of coalitions who weighed in to strengthen this policy. The Portland for everyone coalition, Portland neighbors welcome, members of housing Oregon, business for a better Portland, small business developers alliance, homebuilders association, and our neighborhood networks like the mt. Scott arleta neighborhood association and northeast coalition of neighborhoods. Thank you to the

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many community organizers and advocates who voiced constant support and needed amendments for housing affordability and availability and connected Portlanders to conversations about what equitable, smart growth policies can and should look like. We wouldn't be here without all of you. Madeleine kovacs, tony jordan, mary mccardy, nolan leinhart, sean carpenter, michael anderson, henry kramer, holly balcomb, aaron brown, doug flatts, sarah bright, aarp dream team, bandanna, joyce demonin, ruby hutton pitts and elaine freson strong. Safe routes to school's carl slauschauer and Oregon Washington jess thompson, izzy armenta, ina levin and steph routh. The streets trusts, reeva padilla, cully association of neighborhoods particularly david sweet and ariana magnaera, proud ground, diane linn and habitat for humanity's steve mesinetti. Green hammers, mike beemer, eli spevak. Ashley henry and addie leverette, mike wesley and great communications team who helped simplify this complex code change. Pam fan, nicole johnson, kamara hankerton, lazo and the anti-displacement coalition organization who held and I hope will continue to hold the city accountability to its displacement policies in the comprehensive plan. The sunright movement Portland chapter for linking our land use changes to our climate actions in a meaningful way. Finally thank you to our incredible city staff, sandra wood, morgan tracy, joe zender, andrea durbin, donnie aloe vera, and eden dabs. Our planning and sustainability commission kat schultz, eli spevak and chris smith who served during rip's passage. The Portland housing bureau's shannon callahan, polly rogers and matt tschabold. Our public safety service bureaus who analyzed the potential impacts from new potential for development particularly nate carney. Our infrastructure bureaus particularly pbot director chris warner and program manager teresa israel who provided their own analyses and also helped with the Itic expansion we passed last month. Linly rees and lauren king who keep us focused on building a strong, defensible and legal record. And our former mayor charlie hales and his staff who formed the residential infill project stakeholder advisory committee. Last but not least, my staff, particularly sam diaz, who managed this project for nearly four years. It's been a team effort across many bureaus with many community members, neighborhood associations, developers and nonprofit organizations. I thank you all. I vote aye. The ordinance is adopted. Next, Karla, we'll go to the regular agenda. 660, please. Colleagues, this item updates the resolution we took up on an adopted on july 22 prohibiting communication between the Portland police bureau and federal forces who at that time were occupying the downtown area of our community. That item came together very quickly and it was unclear on certain key points. While we were able to clarify our intent on an interim basis city attorney tracy reeve advised that we take this item back up for formally -- to formally update the guidance based on information that we have. Additionally, through conversations with the governor about the Oregon state police deployment in Portland we identified another piece requiring clarification, which is supported by myself and governor brown. The first version had the effect of prohibiting communication between the police bureau and the Oregon state police securing the federal courthouse next door to the justice center. It also had the effect of prohibiting any communication between Portland police and local year round federal staff who are security for Portland's federal building. When we figured that out we clarified again on a temporary basis that our employees would still be able to communicate with the osp officers guarding the courthouse. We came up with a work-around so that osp could act as the communications liaison between our staff and local federal agents. The osp deployment as you know is temporary. When they leave we will need to be able to communicate with local agents in that building. Federal forces are gone. If we want them to stay gone we must be able to appropriately coordinate with the year round officials working in that building. Council intent in the first instance was clear. We did not want our people working with federal forces, sent by the president to occupy our streets and bring increased escalation and increased violence to our community. Today we're again being

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clear. We are comfortable with our staff being in communication with Oregon state police and other officers who are on the ground in our community year round and are assigned to secure the federal courthouse. Finally I believe we are in agreement about our top priority. Keeping the president and his tactics out of our community. Tracy reeve, our legal expert, is here to answer any questions anyone may have on this item. Commissioner hardesty.

Hardesty: Thank you, mayor. Thank you, tracy. I want to be really clear that this resolution did remove the last paragraph that directed Portland police to once osp was gone they could continue their interactions with the federal government. In our conversation yesterday I was really clear that I would not support a resolution that gave Portland police the authority to once again start interacting with federal agents based on their behavior when the federal occupiers showed up in Portland. I just want to be clear that what we talked about yesterday is in fact what we're voting on today and those changes in fact were made. We're not hearing you, tracy. You're talking, you're not on mute but --

Wheeler: There you go.

Tracy Reeve, City Attorney: Can you hear me now?

Wheeler: Yes.

Reeve: That change was not made because I did discuss that but because of the current draft still has that provision in it based on discussions and then the need to consider a diversion that a version that would enable Oregon state police to withdraw and our police force to communicate with the federal agents. That still needs to be sorted out.

Hardesty: So mayor, I did talk to the governor yesterday, and there is an alternative approach between allowing Portland police to once again engage with federal agents in Portland and that in between would be for the governor to leave two Oregon state troopers here that would be paid for out of the current budget allotment of Portland police bureau. I could not support a resolution that just gives Portland police the authority to misuses their relationship with federal law enforcement officers here so I cannot vote for this resolution if that language still exists in it.

Wheeler: Commissioner eudaly.

Eudaly: Thank you, mayor. Hello, tracy. I just want to clarify a couple of things then ask you a couple of questions. My intent with this resolution was to have a very narrow focus on communications with federal forces that were here through the president's executive order. There were some wild speculations about the unintended consequences of the resolution, so first I want to be clear that we're making this adjustment today to the resolution because it was created before the arrival of Oregon state police. So tracy, in just very plain language for our benefit and the viewing public, can you describe the changes in the resolution? We can't hear you. You're muted.

Reeve: Essentially the resolution clarifies that council's intent was to preclude the Portland police bureau from cooperating with federal officers sent pursuant to an executive order to engage in crowd control and protest activities. Council's intent was not for example to prevent the Portland police bureau from calling the coast guard if someone was drowning in the willamette river. Because obviously the resolution was prepared quickly given the exigent circumstances that we were facing so some of those demarcations were not clear. In addition, council's intent was very clearly that if Portland police bureau members disobeyed the council directive they would be subject to the disciplinary process, but it stated that they would be subject to discipline rather than subject to the disciplinary process and all of our city disciplinary process requires due process which means we're not supposed to assume that somebody is going to be disciplined before we start the proceedings so we made a technical adjustment there just to make clear that council's intent was anyone violating this would be subject to the disciplinary process. Then finally, two things. Oregon state police are technically currently deputized as federal officers for

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purposes of guarding the courthouse. Because of that we were very concerned since they were deputized federal officers the original resolution could be read to prosecute conclude ppb from communicating with them which was not council's intent so this clears that up. Finally as the mayor explained an issue arose after the Oregon state police began assuming those responsibilities which is that they are here temporarily and there needs to be a mechanism for the Portland police bureau to communicate with the local federal marshals who are responsible for guarding the actual courtroom facilities and courtroom personnel and federal protective services, which is responsible for guarding the physical facilities. There are local folks in Portland that are assigned always here that were here before the additional agents were sent. So as currently drafted, the last paragraph of the resolution provides that once the Oregon state police members are withdrawn the Portland police bureau could resume communications with the locally assigned marshals and federal protective service officers and that's the provision commissioner Hardesty and I are speaking of.

Eudaly: To be clear, these individuals would be here regardless of the executive order.

Reeve: Correct. They are always here.

Eudaly: This will not fundamentally change any of the restrictions put in place by the original resolution.

Reeve: Correct. It would still maintain that the Portland police bureau is prohibited from cooperating or communicating with any federal forces deployed by the president under executive order to Portland to engage in protests related crowd control related activity broadly speaking.

Eudaly: Great. Thank you.

Wheeler: Commissioner Hardesty.

Hardesty: Thank you, mayor. Tracy, we found out later that there was a homeland security officer embedded in Portland police command center from the very beginning of the protests. That was not someone sent by the president. That was who knows who sent them but we know they were embedded. That is not something that I would want to give permission for Portland police bureau to do again because we have seen how they responded when the federal troops were here on the ground, and so again, if we are giving them the authority to once again be in communication with the feds, I don't have confidence that they will restrict their communications to merely the coast guard or other folks that they would normally work with. So again, with that additional sentence added into those additional two sentences added into this resolution it is not the resolution I thought I was going to be supporting and I cannot support it with that very open invitation for Portland police to engage with feds. I can't do that. Thank you.

Wheeler: Any further questions? I still have two hands raised but I think those are residual. Karla, please is there any public testimony on this item?

Karla: Yes, mayor. We had six people register but I see about four are on the line.

Wheeler: Very good.

Karla: We'll go with Hong Nam.

Wheeler: I'm not hearing anybody.

Karla: Looks like we may have lost him on that line. Let's go with Kevin Cherry.

Wheeler: Good morning.

Kevin Cherry: Good morning, can you hear me?

Wheeler: Yes.

Cherry: The resolution being considered today identifies a goal of deescalating tensions during demonstrations. But I want to emphasize that Trump and his federal invasion of our city are but a very small piece of the problem. We should be wary of attempts to distract us from the larger picture of racism and state violence including racism and state violence perpetrated in our own city by our own taxpayer funded local law enforcement. Let's be

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clear, the tenure of federal forces in Portland was marked by the exact strategies and brutality as mayor wheeler's police force has enacted past and present to this very day. Banning collaboration between ppb and federal forces does nothing to address the rotten gang that is our own local police force. It's ironic mayor wheeler takes public stance on the side of protesters and against police violence but only when it applies to federal forces. All other times he swallows and regurgitates police propaganda and demonizes those mobilizing mightily against police violence. For example, during an august 7 news conference mayor wheeler publicly accused protesters of attempted murder and went so far as to accuse them of giving reelection material to donald trump. Literally the next day trump repeated the same narrative on national tv directly quoting mayor wheeler's accusation and using it to decry left wing violence extremism. As others have noted the event in question involved a small fire contained in one garbage can outside the building which had multiple unblocked exits if someone needed to get out. To mayor wheeler our police commissioner, I suggest you look in the mirror to see whose words and actions are being used as material for donald trump and right wing extremism. I ask you to evaluate why you're so quick to repeat ppb's characterizations and demonize protesters but have not said one word about the multiple pipe bombs thrown at protesters in laurelhurst in literally attempted murder. Protesters are not the enemy. City council would not defunded if it weren't for these protesters and independent police oversight board would not be on the ballot. Shame on you, mayor, for claiming protests have no longer been about racial justice and police accountability. Yes, this is all very complicated, yes, there are many different actors and stakeholders with competing narrative and competing motivations but one message I have heard over and over again that I would like to reiterate is this. Council should find a bold way to immediately defund ppb, and mayor wheeler should resign. Thank you.

Wheeler: Kevin, thank you for your testimony. I fundamentally disagree with your characterization. I just want to say that clearly on the record. I'm not sure you got correct what my admonition was or who my statement was addressed towards. I stand by my statement 100% but I appreciate your perspective. Next individual, please, Karla.

Karla: Joselyn macaulay.

Wheeler: Joselyn, are you on board?

Jocelyn McAuley: Yes.

Wheeler: You're good to go.

McAuley: Thank you. I'm joselyn macaulay, I live in rose city park neighborhood. Thank you for this opportunity to participate. I am also speaking out and concerned over this document. The first line begins my concerns. Requiring ppb to cease cooperating with militarized federal forces fails to recognize our ppb is militarized against Portlanders. This is not a new problem. This has been highlighted for years by protesters and data scientists that the militarization of our own police via their costume and lethal weaponry is directly responsible for the escalation of violence at our peaceful protests. I -- being informed on what is happening nightly thanks to the persistence of our local press. They continue to report in the face of excessive force and false declaration of unlawful assembly and physical assault by this militarized ppb presence. For our community to trust attempts at deescalation we must first stop ppb from gearing in militarized riot costumes and from using chemical weaponry against protesters. My continued look was conflicted with the disclaimers in sections a and f. A ends with this prohibition shall not apply to the operational -- federal deputized osp members. Section f, which commissioner hardesty brought up, adds to the disclaimer does not restrict communication or cooperation between ppb members and employees of the u.s. Marshal service. I urge you to recognition any cooperation with these disclaimers in place still supports militarized federal forces you claim to oppose. As a function of being deputized Oregon state patrol joins the u.s.

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Marshals, not being accountable to local oversight and will be shielded from litigation. As these exceptions currently allow ppb will be collaborating with federal task forces and continuing to put Portlanders even more at risk. With ppb currently targeting black leaders at protests as shown with the recent false arrest of dimitria hester and with ppb circling peaceful protests with data surveillance planes and with ppb currently injuring medics and pepper spraying media, how are we to actually hold these attempts at deescalation as being forthright and honorable and trustworthy. Stop outfitting our police in militarized riot gear, to stop all support this racist federal government and their task forces inserted to our Portland. This concludes my statement. Thank you for your time.

Wheeler: Thank you for your perspective, joselyn.

Karla: Next gia rivera.

Wheeler: Welcome.

Gia Naranjo-Rivera: All right. I'm glad to be with you all today. I really appreciate the perspectives that kevin and joselyn shared, and I am here speaking on behalf of a group of concerned citizens called pdx rising, a consortium of folks who have been providing food, clothing, medical care, et cetera, to both Portland peaceful and nonviolent Portland protesters as well as the houseless outside what we affectionately refer to as the injustices or federal courthouse and Multnomah county justice center and the edith wyatt federal building. I'm very concerned for my professional perspective as a human civil rights scholar as well as a public health -- a doctor in public health about the impacts of the ongoing violence. As some of my colleagues have mentioned the use of excessive force, false pretense of unlawful assembly which is used to enact widespread and extreme violence against largely nonviolent and we're talking about once in a while someone might throw a water bottle and at this point there are times when there have been 100% peaceful protects and vicious attacks by police against innocent and unarmed people, it needs to stop and the collusion with state and national agents is a major part of the problem. The behavior is racist. It's targeting medics and media. The surveillance persists as well as use of chemical weaponry which was occurring by ppb toward protesters before and continues after the rise and fall of the larger numbers of federal agents in our area. I reported last week and there were no response so I will pause and ask for response from city council members around first amendment violations, illegal searches and arrests, abuses in detention including violence, denying access to counsel and theft of property, solitary confinement and excessive use of force including lethal arms, chemical weapons aiming at heads, hearts and genitals and the ppb tackling people with large number of officers exacerbated when you collude with other armed forces. Thank you so much for your time.

Wheeler: Thank for your perspective.

Karla: Next is edith gilliss.

Edith Gillis: Good morning. It states where is the council finds it imperative that ppb and osp work to deescalate tensions during demonstrations in the city, this amendment does not address the good reasons for the original ordinance nor the tensions during demonstrations in the city nor the violence by the feds that the ppb did before and since federal forces nor from the seattle coast guard and ppb brutalizing activists. harming people at ice. I agree with gia, with joselyn, with former Portland police chief and mayor tom potter and commissioner hardesty and others who -- since my brain injury I cannot remember. In violation of various laws they have worked together in unified and coordinated manner. Against the people and public health and safety of Portlanders ever more escalating tensions themselves. Police are so-called law enforcement from any agency or jurisdiction are a mercenary corporation in riot gear. the assault and battery on nonviolent protesters. Do not deescalate tensions during demonstrations against police brutality, corruption, crime national, fraud and illegitimacy. Nor do they decrease tensions when they hurt and scare or incapacitate with chemical weapons and pain or when the

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police use strobe lights and physical violence against press. Nor when they use -- make false allegations and with conflicting impossible to obey commands they brutalize and arrest people for not obeying. Police worsened our cause. Nor when they use hate speech nor prevent medical care for people they have wounded or might be dying in front of them. These protests began because police cruelly beat someone down, kneeling on the neck. Exactly what we have seen last night and the night before that and before by Portland police with the so-called federal deputized osp, nor when they attack the clearly identified press with documentation of police committing crimes nor when they refuse to help survivors of domestic or sexual violence or hate crimes nor when they assault Portlanders nor when they lie to the mayor or press and libel their victims or wrongly arrest and perjure. They have each committed violent crimes and property damage and hate crimes and violated civil and human rights of Portlanders over the last decades and throughout the last weeks of protest and have neglected their duties, have refused to stop crimes in process and refused to arrest violent people attacking protesters.

Karla: That's three minutes.

Gillis: People's injuries. The way you deescalate this, accomplish what you say you're going to do is to stop the police from harming the public and hold police for their wrongs. Don't give the police themselves more money and power and immunity. Have someone publicly accountable at the scene under oath announce unlawful assembly a riot and have that person trained the law --

Wheeler: All of these are important points, edith. Somewhat unrelated to what we're discussing here.

Gillis: No. The way we address this --

Wheeler: Thank you. Commissioner eudaly.

Eudaly: Mayor, i'm sorry, i'll hold my comments until we're done with public testimony.

Karla: We have one more who registered. Fina melamon.

Wheeler: Welcome.

Kristina Malimon: Can you hear me?

Wheeler: We can.

Malimon: Hello. Thank you. I'm with the slavic community, and when feds were here the agreement that you've made with the feds is if they leave the Portland police will be able to take care of the rioting and keep Portlanders safe. But what has happened instead is it has only become worse. The feds are gone, but the riots have not stopped. Antifa is now in Portland neighborhoods. Portlanders and each citizen deserve to live in a safe place. They there are now in neighborhoods and apartments and people are in fear. I spoke to a few police officers recently, and I asked how they are doing and so it touched me to my heart when I heard the story from the police officer. So he's a young individual, and his wife is soon to give birth to a little girl. He said that I really hope that I still have my vision to see my little girl when she's born. So now that we have the feds out of Portland, I want to make sure that the police officers have the resources and that they have the equipment and the things that they need to stay healthy and alive because every person's lives matter. What antifa does they have lasers and they point into the eyes of the officers and a lot of these officers have lost their vision and might never see again. They also need better protection in their vests in order to make sure that they are protected against rifles because they have seen some people with rifles at these riots. You as leaders are responsible for all of the Oregonians. We voted for you, and we trusted that you will take care of all of us. So I really ask that you get peace into Oregon. We really are tired of seeing the destruction all over Portland. That you also provide police officers with everything they need to stay healthy and alive. I really thank you for everything that you guys do. God bless.

Wheeler: Thank you, christina. Thank you for sharing your perspective. Does that complete our public testimony?

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Karla: I believe that does, mayor. Looks like that's all.

Wheeler: Commissioner eudaly.

Eudaly: Thank you, mayor. I am just trying to figure out the exchange between commissioner hardesty and tracy reeve. I'm curious if commissioner hardesty is going to be introducing an amendment or if we're just going to move ahead as is. You're muted.

Hardesty: It would have to happen at least once, right? Let me just say that, no, because I anticipated that language had been removed so I did not come prepared with an amendment. If that language is still in it and we are calling for a vote my vote is no. So it's just that simple. I thought that we had a plan moving forward. The governor agreed with that plan and so I have no interest in allowing Portland police bureau to once again be in direct communications with the feds based on what we learned long after the protests started about that relationship. So it's unfortunate that that change was not made before it was presented to us today.

Eudaly: Just so I understand, because the focus of the resolution was specifically on federal forces here under the executive order are you wanting expanded language that would continue to prohibit communication regardless of whether federal forces were here under executive order or not?

Hardesty: I still have my same concern that Portland police officers had federal agents embedded long before 45 sent his goon squad in. I have no confidence that giving Portland police bureau the authority to communicate with the federal agents won't exacerbate the tensions that already exist in our community. So the alternative plan is to have two osp officers be assigned here and they will continue to be the liaison and that is a position I can support. I do not support Portland police as it currently exists being engaged in any relationship with our federal government at all.

Eudaly: Thank you, commissioner. I just wanted to make sure I understood. Can we hear from tracy reeve?

Reeve: So yes. I think this is a choice for the council. My understanding is that -- I have had communications with attorneys for local in the u.s. Attorney's office here who feel strongly that it's imperative for our local officers to be able to communicate with ppb, and I have also -- commissioner hardesty and I did discuss this issue yesterday. I think the concern is the very last sentence of section f, and I subsequently had discussions with the mayor's office with whom I obviously have been working on this resolution, and based on their conversations with the mayor's office and the Oregon state police they felt it was important that we continue to be able to have our local federal officers speak with our local Portland police bureau and based on my conversations with the police bureau I do understand that as commissioner hardesty said I don't know if the term embedded is the term I would use but there was when the initial demonstrations were occurring and prior to the time that the federal outside federal officers for different agencies were sent in, there was a federal officer that was present in the Portland command center to observe and coordinate was not as I understand it calling the shots or anything but was present with the local. This was before the folks that the president sent in had been present in the command center. I believe that's the concern that is being articulated. So my understanding is that the Oregon state police cannot leave until this communication issue is sorted out so that's now council needs to decide how that best can happen.

Hardesty: The governor is going to be speaking to the undersecretary today, and in our conversation yesterday the alternative proposal was one that she was going to present because I told her like I have been very straightforward with tracy and you guys this morning that the alternative is just not something I would consider.

Wheeler: Can I ask a follow-up question, commissioner hardesty? I'm trying to understand what your objection is. If we have two state police officers and it's my understanding you are proposing that the city pay for the two state police officers who

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would then communicate directly with the feds, and effectively be the communication bridge between ppb and the feds, why couldn't ppb play that role with a clear understanding of what those communications can and cannot be? I don't understand what the point of paying extra for two officers who are simply playing telephone bridge.

Hardesty: The point is is that Portland police bureau has lost my trust in believing that they can separate what their responsibility is through the various federal agencies. Because they had federal agents embedded and they continued to tell the public that they did not, and when in fact we found out they did I have lost all confidence that they will keep a strong line between what's acceptable and what isn't. I have more confidence in osp, which is why --

Wheeler: Here's a question I have. You're saying that this is the governor's proposal. Is this in fact a proposal made by the governor? She has not shared this with me.

Hardesty: Her and I met yesterday morning at 8:45 apparently you had talked to her prior to her and I talking. She called me to get me to support this resolution. I did not know that you were making this change in this resolution.

Wheeler: I'm not proposing a change in the resolution.

Hardesty: Actually there is a change and I don't know who proposed it, whether it was you, osp, the governor. What I thought tracy was doing which is cleaning up the language from the last vote was what she was doing in addition to reauthorizing Portland police to communicate directly with --

Wheeler: The reason we're bringing this is state police are going to leave and they are going to have communication with the locally assigned people who live here in that facility or we're not. From a public safety perspective the situational awareness at a minimum is a requirement for us to be able to effectively operate together. That is the same relationship the state police have had with the federal officers for the last two weeks. I believe it's imperative that we have that relationship. That's the purpose of this updated resolution.

Hardesty: You and I will fundamentally disagree whether that's imperative.

Wheeler: The governor and I are in agreement that this is imperative.

Hardesty: The governor and I are in agreement that there's an alternative plan.

Wheeler: She has not shared that alternative plan with me and until she does this is the plan i'm going to vote for.

Hardesty: I'm going to not vote for it.

Wheeler: That's democratization.

Hardesty: Yes. But I want to be really clear. My concern is because we are still investigating incidents of police misconduct. We don't know yet what we don't know about Portland police bureau's actions as it related to --

Wheeler: Right. All that is stipulated but at some point we have to trust the command staff on this bureau. They have said and the governor is saying and the state police and i'm saying as the police commissioner that we need this basic level of communication, and as far as people being embedded previously the police bureau has responded very clearly that the purpose of that embedded individual was situational awareness. We were operating with the counsel in the justice center, the feds were literally across the street in the federal courthouse and we needed that situational awareness because there was this perception that there was coordination as the president was bringing additional people into the city, we felt we needed to make that separation. Everybody agreed that as that increased federal presence came to Portland we needed that additional separation but the feds are gone now. It's up to us to be coordinated with those individuals who are locally assigned to the facility across the street, the one that the county and the city are currently engaged in to make sure that everybody is as safe as possible. That is the spirit in which this was brought. This was the conversation that I had with the governor.

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Hardesty: You and I had different conversations. That was her first proposal but that was not where we ended the conversation. You and I can disagree. I will say that this resolution changed in a way that I cannot support for the reasons I have stated. Now, you're saying this is what has to happen. I'm telling you it is not what

Wheeler: I don't see the need to pay somebody else to do basically be telephone operators. I think we can trust our folks to do that.

Hardesty: I don't agree with that, mayor. Let me just say that if we could we would not still have people in the street every single night. You would not have your police officers declaring a riot every single night. I fundamentally disagree that the trust is there between the community and Portland police and the feds. I'm not sure that all the feds are gone, right? We don't know whether they are gone or not and I don't want to take that chance by allowing Portland police to continue to engage with the federal government because we have seen what happens on the ground when that happens. We can fundamentally disagree and i'm okay with that. Won't be the first or the last time you and I disagree.

Wheeler: I suspect you're absolutely right. Commissioner eudaly.

Eudaly: Thank you for the conversation, colleagues. Commissioner hardesty, I think I better understand your position and while i'm not disinterested in the conversation my intent in bringing this resolution was an act of resistance against the president and his executive order which brought unwelcome, uninvited federal forces to occupy our city. So i'm comfortable with supporting this resolution as is but it sounds like there's another conversation to have and I would love to have that with you. We were -- my office was in touch with the governor's public safety advisor yesterday and there was no mention of an alternative plan. I don't feel comfortable trying to devise an amendment on the fly because of the complexity and sensitivity of this issue, but i'm certainly open to conversation.

Hardesty: Let me just say in my mind this is a radical change to what we voted on a couple of weeks ago. It is not something -- again, I don't do amendments on the fly either. I talk to Tracy, share my position and my conversation with the governor, she went and talked to the mayor, clearly the mayor disagrees with the alternative plan that the governor and I developed, and that's fine. That's how democracy works.

Eudaly: I really need to be clear on this. This amendment is allowing deputized osp officers to communicate between osp and ppb.

Hardesty: The agreement the mayor and I made when the governor allowed us to have osp officers here for two weeks. The agreement was that osp would be the only officers communicating with the feds because of the issues I raised earlier. That was the agreement that the mayor and I agreed --

Eudaly: You're talking beyond the executive order. You're talking --

Hardesty: I was talking about the governor's plan to allow osp to come so that the feds could save face and leave. Right?

Eudaly: Right. But what i'm trying to determine because this resolution is narrowly focused on the executive order, you're actually wanting to expand the prohibition beyond the executive order on an ongoing basis and prevent ppb from communicating with federal forces.

Hardesty: That is correct. It would be on -- I wouldn't say ongoing but it would be -- that's what I would like to do, yes.

Eudaly: So again, i'm open to that conversation but that was never the intent of the resolution so it isn't a fundamental change of the existing resolution. I don't know if there was something taken out or added to the resolution we're voting on today that you're taking issue with. I have been confused about this debate and now I think I understand. Yeah.

Hardesty: The last sentences that were added. It was not administrative changes. It actually reaffirmed Portland police bureau's ability to communicate directly with the feds. I

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do not believe at this time it is to the city's benefit to have Portland police officers engage in communication with the feds.

Eudaly: Without agreeing or disagreeing with you, that is beyond the scope of the original resolution and I believe that would require another resolution or some further conversation by council.

Hardesty: I suspect the mayor and I will be talking about this quite a bit as we move forward. Again, I don't want to waste your time or the public's time but this was something that was not what I expected in this resolution and the fact that it was added. If it was just cleaning up the language it would have been fine but the fact that this was -- I think intentionally added because Portland police sending us reports every day about how they can't talk to the feds about x, y, z. I don't think that's necessary and I want to make sure that the communication is only communication as it pertains to other issues that impact the city of Portland. I'm not confident in the people that will have access to the feds that that is so. We certainly have seen ppa president in communication with feds much more than any of us have been. That's not acceptable. So if that's the person that's representing the rank and file I have real concerns about expanding that authority.

Eudaly: I hear you. I don't necessarily disagree, but this resolution really just serves to clarify the original intent of the resolution that I brought forward and allow the deputized osp officers to communicate with ppb. I am comfortable with this as is but look forward to further conversation.

Wheeler: Good discussion. Any further discussion? Karla, please call the roll. Karla, are you still there? [laughter]

Karla: Sorry about that. Lost myself.

Hardesty: Did you find yourself, Karla?

Karla: Yes.

Hardesty: I greatly appreciate the governor being able to negotiate a withdrawal of the federal occupiers in our community. I also greatly appreciate commissioner eudaly rushing this resolution to ensure that there was clearly lines of communication as far as who would be communicating directly with the feds. Today I am voting no because again what I have seen over the last 70 plus days does not give me confidence that Portland police bureau will conduct themselves in a manner with our federal government that brings peace and deescalation into our community. I think the governor and I worked out a better plan because until Portland police bureau actually corrects itself they should have no additional power. Therefore, I am very happy to vote no.

Eudaly: Well, I want to thank the community members who came here today to share their experiences and concerns over our local police bureau's actions against protesters. I want you to know that I hear you, that I believe you, I in fact have experienced the same things throughout my 30 years of engagement with protests while exercising my constitutional rights. The conversation about transforming policing and public safety has only just begun. This resolution as I said before is very narrowly focused on the executive order that brought unwelcome, unwanted, uninvited federal forces into our city to do violence against our community members and to actually escalate tensions on the ground. We struck a deal with the governor that has resulted in I guess i'll call it a standing down of federal forces and this resolution only really serves to, number one, clarify a couple of things that were not crystal clear in the original resolution, then allow Oregon state police who have been deputized to communicate directly with ppb. So I support this resolution but like I said i'm very open and interested in further discussion and steps that we can take to guarantee that the bureau is acting in accord with our policies and priorities, and i'm especially excited about the continuing conversation about transforming policing and public safety and investing in community. I vote aye.

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Fritz: Thank you, commissioner eudaly, for your clarity and your leadership on this and for what you just said. I think the key point for me is we need to be getting those conversations about transforming community safety. You can't have a conversation if some people are not allowed to talk to other people. So I appreciate the governor negotiating the solution that allowed the invading officers to stop doing what they have been doing. Now we are going to have a federal presence in Portland and we need to figure out how to engage them in transforming community safety as well here. This resolution is recommended by the city of attorney and I greatly appreciate tracy reeve and all the work you've been doing. Thank you, mayor wheeler, for being willing to have the conversations. We need to be able to get to a point where we can sit down and have conversations. The point has been made that we need changes and now we need to engage the community to discuss what those changes should be. So I appreciate the clarity in this resolution. Aye.

Wheeler: Commissioner eudaly got it exactly right. This is a clarification of the restrictions we put in place as a result of the executive order we saw an increase in the number of federal agents in our city. That led to an increase in escalation. The governor and her team negotiated a withdrawal of the federal presence here in the city of Portland. I appreciated the partnership we put into place with the governor. Now that the large federal presence has abated it's up to us to ensure that they don't come back. So it requires us to be able to communicate with those local federal officers who live here, who work here, who are staged in that facility on a daily basis. We need to have communications with them in order to ensure that we're coordinated and that there is no opportunity for the president to send more of the federal presence back to our city. That's what this is about. I support it. I vote aye. The ordinance is adopted. The resolution. I'm sorry. The resolution is adopted. Next item is the regular agenda item 661, emergency ordinance.

Item 661.

Wheeler: The purpose of this legislation is to provide temporary funding from the housing investment fund to the housing development costs fund and the grants fund in a total amount of \$3,500,000. Of this amount, 2,500,000 will be loaned to the housing development costs fund and 1 million to the grants fund in anticipation of city bond proceeds fiscal year 2021 and grants from the metro affordable housing projects which are expected to be received no later than december 31, 2021. Brigid o'callahan is here and present to answer any questions. Welcome.

Brigid O'Callahan, City Treasurer: Hello. For the record i'm brigid o'callahan. I'm the city treasurer. Also joining me today will be mike johnson from the Portland housing bureau who will be available to answer any questions about the request. As you stated the purpose of the legislation is to provide temporary funding in the form of two interfund loans from the housing investment fund to the housing development cost fund and the housing grants fund in a total amount of \$3.5 million. It will be structured as two loans, the first in the amount of \$2,500,000 to the housing development cost fund in anticipation of the city bond proceeds that will be received in fiscal year 2021 and the second loan in the amount of 1 million to the housing grants funds in anticipation of grants from projects expected to be received no later than december 31, 2021. Background in 2026 Portland voters voted to issue 258.4 million in general obligation bonds for affordable housing. In 2018 Portland area voters voted and approved the issuance of \$652.8 million by metro also to finance the capital costs of affordable housing projects for low income households in the Portland area. A portion of those metro bond funds will also be granted to the city. These loans will essentially address the timing issue between when the housing bureau will need to spend the funds and when they can be reimbursed for those expenditures. The housing bureau is currently working on financing for ten Portland city of Portland affordable housing projects and will soon begin preparation on phase 2 project work under the metro bond program.

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The housing bureau plans to be reimbursed for affordable housing capital project costs through project fees. Those fees are associated with both of these bond projects however the fee income will not be available until the projects are under construction. The bureau is currently incurring costs for pre-development and pre-construction at this time. The loan will permit the housing bureau to move forward with these multi-year affordable housing projects in accordance with budget law. The loan to the housing development cost fund will be repaid no later than June 30th, 2021 and the loan to the grants fund will be repaid no later than December 31, 2021. The loans will be repaid with interest at the rate of the city's current investment rate portfolio. It's if you will have a neutral impact to the bureau. I would be happy to answer any questions.

Wheeler: Looks like commissioner Eudaly but I think that's probably from last time. Commissioner Eudaly, do you have your hand up or is that from the last item? Is there any public testimony on this item?

Karla: No one registered, mayor.

Wheeler: Very good. This is an emergency ordinance. We have no further questions. Please call the roll.

Hardesty: Aye.

Eudaly: Thank you for the presentation. Aye.

Fritz: Thank you. Aye.

Wheeler: Aye. The ordinance is adopted. Next is 662.

Item 662.

Wheeler: All right, colleagues, in November of 2018 Portland voters approved metro measure 26199 as you'll recall that created 652.8 million in general obligation bonds to fund affordable housing to the tri-county metro region including the city of Portland. The authorization of this intergovernmental agreement allows the Portland housing bureau to receive bond funds in the form of a grant and implement Portland's local implementation strategy which outlines how funds will be invested to meet the goals and requirements here in the city of Portland. As one of metro's local implementation partners Portland will receive \$211 million of total bond proceeds to develop 1475 units of affordable housing for households earning up to 60% of AMI, and I know that commissioner Hardesty will ask so I will say that is equal to 38,700 for an individual and \$55,260 for a family of four. Our local implementation strategy is in alignment with council's overarching goals and values related to affordable housing and it highlights priorities for deeply affordable units, supportive housing units as well as family size units. We have director Callahan here and a team from the Portland housing bureau here to present. Director Callahan, I see you there somewhere. I see you.

Shannon Callahan, Portland Housing Bureau: Good morning, mayor and commissioners. Shannon Callahan of the Portland housing bureau. I'll be joined in the presentation by Molly Rogers, our housing bureau deputy director. As you indicated, we are here to ask for council's approval on the intergovernmental agreement with metro to facilitate the metro regional bonds. Next slide, please, Molly. As you mentioned metro has a regional bond with the intent to create 3900 units of affordable homes within the region.

Wheeler: I'm sorry to interrupt. Maybe it's just me but it looks like your presentation, we're only seeing half of it. It's too big to fit on the screen. Can you shrink it a little bit?

Callahan: Okay.

Wheeler: Why don't you go on and Molly will muck around with it.

Callahan: I will tell you that trying to do zoom and screen sharing is not something we have quite mastered.

Eudaly: I think it's you, mayor.

Wheeler: It usually is.

Callahan: Wonderful.

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Hardesty: Sticky notes were not supposed to be part of your presentation.

Callahan: No, I don't believe we're supposed to be sharing sticky notes.

Hardesty: There was a screen and then half a screen with sticky notes on it.

Callahan: Interesting. That is not what I am seeing but I guess the mysteries of zoom abound. [laughter] metro will create 3900 new units of affordable housing within the region. 1600 of which will be affordable at 30% ami. They also have a goal to reach 1950 family size units and metro in contrast with that housing bond in Portland did a small percentage of affordable units to be programmed from 60 to 80% of area median income. Next slide, if you could, molly. I'm not sure what everyone can see. Metro when they referred the bond did establish priority communities for us to focus a housing to be built and/or acquired with. Those priority communities are as indicated by metro, communities of color, families with children and multiple generations, people living with disabilities, seniors, veterans, and households experiencing homelessness and/or imminent displacement. Molly, if you wouldn't mind trying the slide. Metro has made initial progress with their housing bond including one early what's called phase 1 project within the city limits of Portland that is deacon court which will bring 116 units of affordable housing with the project home forward to northeast Portland. Molly, could you slide ahead? With that I would like to go through quickly what the allocation is for the city of Portland and what the goals that we are trying to achieve. Hopefully can you all see the slides? Are you still seeing post-it notes?

Wheeler: It's good enough. I don't see any post-it notes.

Hardesty: It's all right.

Callahan: As you can see by the slide in front of you the total allocation within the city of Portland is 211 million. Deacon court has already been granted funding in 23 million for their project. The iga that you're considering today deals with the 188 million remaining. The goals that we need to achieve with those funds are 1315 total units, 539 below 30% ami, as the mayor indicated what that is, 657 family size units. I wanted to pause -- yes.

Hardesty: Can you tell me what a family size units is?

Callahan: According to what metro has asked us to program that would mean family size units would be two bedrooms and above. The emphasis that we have been asked by the community and through our implementation strategy is to try to achieve larger bedroom size than two bedroom that can accommodate families of multiple generations or larger families. So working to also program three and four bedroom units where we can.

Hardesty: Thank you.

Callahan: Thank you. So just briefly and overview of the iga itself, metro is providing up to 2.1% administrative and staff support to local jurisdictions. Metro is retaining 23 million in funds for a land acquisition program within the city of Portland and/or at metro's discretion to provide gap financing. Metro is requiring us to maintain 60-year affordability covenants on all of the properties. As you may recall the city of Portland already requires 99 years so this is not a challenge for us. The housing bureau in cooperation with the city will select the projects but approval for funding is at metro's sole discretion.

Molly Rogers, Assistant Director Portland Housing Bureau: Good morning, mayor and commissioners. I am pleased to share with you how we developed our local implementation strategy, and it really started, really, actually, with the Portland housing bond, and the work that we did over a nine-month period to develop that framework engaged with over a thousand community members across 16 different groups, and we gathered that work at that time, and we built our strategies then. That work really paid off within a two-year period. We've been able to deliver on the goals of the Portland bond, and we wanted to build from there. We also recognize that there was some areas and some vulnerable communities that we wanted to do some deeper dives and some additional outreach with, and particularly, with our immigrant community and our disability communities. We did some additional outreach and co-sponsored some focus groups out

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with other jurisdictional partners in southwest Portland, north and northeast, and east Portland. What we did was we collated all of this work into a compilation of themes to help inform our goals, strategies, and approaches, which I will get to in a second. We really had to use many venues to do this engagement work. We started with surveys that were conducted by the community engagement liaisons, and they were able to engage with 11 different cultural communities through 88 different surveys that were completed. We did focus groups and east, in east Portland, and we were able to do that because this is a regional measure, city of Gresham and Multnomah County, also, received some funds. We wanted to look at some -- where we could collaborate with those other jurisdictional partners, and we engaged with 30 individuals out in east Portland to do that. We engaged with over 100 individuals in different feedback sessions across about a dozen different advisory and oversight committees, and across the city, and including the neighborhood prosperity network, the north and northeast Portland oversight committees, and southwest corridor advisory community members. And we also had some -- we spent some time with the coordinator of the cities, commission, disabilities, and we did some specific outreach to the people with disabilities or those representing disability rights, and we wanted to get specific input on how do we advance housing for folks who have disabilities. The that really emerged through all of this engagement work is yes, we need to do a better job of doing outreach to the immigrant and refugee communities, and overwhelmingly, we heard from folks that they want to know in the next housing opportunities are coming up, and they have an opportunity to apply, and they need a better sense of how they can get through the application process. We were asked to get more clear and measurable goals for equity, which I will describe in a few moments. We did hear from partners that they wanted us not to just focus on rental housing, but also home ownership opportunities, especially as we know that this is a key strategy for households of color to increase the generational wealth. We were asked to continue supporting our goal for 2000 units of supportive housing through this measure, and that would work clearly work with the joint office and other partners in figuring out the assembly of resources that it will take to do that. We are looking to set a goal with metro, as well. Key strategy and how we are going to achieve the 30% unit production goals is really insuring that we have rent, more operating support to that. People are very rent burdened in, even in affordable housing and being able to have additional rent support means that those extreme low income households are not burdened. And last but not least, really honing in on we need more access through affordable housing through low barrier screening. So part of our leading with racial equity, is a guiding principle in the development of the bond framework, and phb shares in that, and we work to advance racial communities for bipoc households, and we want to increase opportunities for certified businesses, and we are looking to facilitate co-choice specific partnerships so we can deepen our connection with marginalized populations. We are striving to increase the services for residents of affordable housing, to access culturally-specific services, and we ask our stakeholders, how to help us create these strategies to advance our metro bond work. What we heard was we need to deepen our outreach and engagement work. We need to listen to the community members and associations with linkages of marginalized communities. We need to communicate more languages, and we need to think about culturally specific project design and outreach plans. And we are asked to do more facilitating of partnerships between affordable housing developers and minority owned businesses, contractors, and professional services, and co-choice specific providers. We are also looking to look at project selection. We also heard -- we need to select project partners who have a demonstrated commitment to racial equity. So we have seen greater weight is placed on our team's equity plans. We are looking to collaborate that track record data on those developers on their past projects and how they have achieved construction and professional services, persons in certified

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contracting. And when I say certified, I am meaning disadvantaged minority, women owned, and emerging small businesses with small -- and service disabled veterans certifications. And the city's goal for dmwesb contracting is 20%, but phb set a higher goal of 30% for construction contracting, and we will ask our development partners to achieve a 30% goal in our metro funded projects just like we did for our Portland bond funded projects. Our selection committees for the Portland bond funded projections last year was the majority --

Wheeler: Commissioner Hardesty, sorry, I thought that was a residual hand up.

Hardesty: No. Thank you, mayor. Thank you, Molly. Molly, you are on a role. I am sorry to interrupt, but my question has to do with the dmwesb, sdv. What I heard you say, you are not just going to take the developer's word. What you are going to do is look at how they performed in the past. Is that an accurate statement?

Rogers: That's correct. What we do, we do have -- we worked with Kathleen Messier to track the progress on a continuous basis. Of all the projects that we fund, and we look at the progression over the course of the construction of all those projects. And what we do, notice is the more that we track the data, and we publicly share that data, the more that we see an increase results of the outcomes.

Hardesty: That's shocking, Molly. The the report the better the outcomes are. How amazing that is. I appreciate that very thorough commitment because honestly, I think that the bureau should also be raising their aspirational goals, as well. And we are never, ever, ever going to achieve equity and construction if we aren't absolutely committed to gathering the data and publicizing it on a regular basis. But on the other end, so let's say that a developer does not achieve the aspirational goal. Are we required to contract with them anyway?

Rogers: Well, that will certainly affect their ability to seek funding for future projects. Once a project is under construction, there is not a whole lot that we can do. That's why the continuous tracking through the course of that -- whatever two year period -- is really key, and we -- what we have done is, actually, dedicated some of the bond resources to technical assistance to, actually, fund housing navigators to work with each of our teams, to help to connect them with subcontractors and other professional services that are certified.

Hardesty: I am very interested in the results that you obtained from that, because I think that that could very well be a model for us moving forward as we looked at how we contracted at the city anyway. It is a good plan, and I will be monitoring it as you are monitoring it, as we move forward. Thank you. That was very helpful.

Rogers: Thank you, Commissioner. Just last but not least I wanted to mention that one of the key strategies that we have seen to increase the number of BIPOC households accessing affordable housing is really through culturally-specific partnerships and direct referrals into that housing -- we have seen an unprecedented number of partnerships between culturally specific agencies and affordable housing providers. And we really hope to see those partnerships deepen and create some systemic change.

Hardesty: And so that means that you have expanded the number of BIPOC community partners over the last few years?

Rogers: I believe so. We are -- interestingly enough we have app rfi on the street to engage with even more culturally specific agencies to work with us on our CARES funding, and we wanted to continue seeing more and more BIPOC households, accessing the resources that we are putting resources into.

Hardesty: As do we. Thank you.

Rogers: With the local implementation strategy for metro, we did adopt additional goals for Portland. I don't want to -- I can't emphasize this enough, but we need to continue to build more supportive housing for homeless individuals and families, and we have set a goal to

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develop 2,000 of the supportive housing units by 2028 between the city and the county. And this does depend on additional resources from the joint office and the metro bond measure, but we want to put out a goal of -- 300 unit goal through the housing bond. We are also looking to -- we did hear that even though Portland's code in our policies are really specific to 60% and below median income, affordability, there may be some exceptions to that, to that lower -- to that 60%, and we may look at only an exception basis doing some at 80% area median income, affordability, in a way to just mitigate, displacement, particularly, when we have sometimes developers acquiring existing market rate units and convert it into affordable. We don't necessarily want to cut that to create a displacing event. We want to be able to have people stay in their homes if possible and/or allow people to increase their income over time. So no more than 10% of the total amount of units developed would be between 60 to 80% of the median income.

Hardesty: Why would we not want more deeply affordable units? 80% really does not address the folks who are desperately looking for housing they can afford. Why so few at 60% to 30% mfi as compared to 80%?

Rogers: The maximum would be 10% of the total units between -- could be between up to 80, but half of them were -- are meant to be -- I am sorry, are meant to be at 30% income. So.

Hardesty: We are at 30?

Rogers: The unit production -- sorry, I am coughing.

Hardesty: That's okay.

Rogers: The 41% of the total units are going to be affordable at 30% of the ami.

Hardesty: Is that the units that the city of Portland are building or is that region-wide?

Rogers: That's actually region-wide, and that's going to be what we adopt, as well.

Hardesty: So I guess I am just unclear. Are 80% of the units, I mean, I am sorry, 80% of ami a part of this proposal? So we have 100% of the units, what, I forget what the total number is, that we're going to build. And 80% -- I am sorry, if 80% of ami is going to be what percentage of the units --

Rogers: No more than 10%.

Hardesty: No more than 10% will be at 80%, and the goal is to have 40% at 30% or lower, is that accurate?

Rogers: 41 -- yep. 41% at 30%. It's a bit confusing.

Hardesty: I am trying to track it. I am trying to keep track. That's good. I had it mixed up in my mind that the most would be at 80%, and I just think that 80% doesn't do enough to make housing units affordable at all because that's -- you still have to make 72,000 to be able to afford an 80% ami unit.

Rogers: And we agree with you, commissioner. We want to see as much deeply affordable units built with this -- with these resources as possible. Metro allowed some small percentage to be higher than 60. And that's, in our, our -- for Portland, we are only looking at that as an exception basis. Not a -- not something that we wanted to go to. And only in cases where we would mitigate the assessment.

Hardesty: Excellent. Thank you.

Rogers: And we did hear from community members at some portion. It would be nice to support home ownership. And like I mentioned before, we were looking to seek a 30% construction for dmwesb participation. We are looking at three phases of implementation. One, one that's been approved by metro, because it's their resources. They had initially approved about 23 million going towards , which is a public housing project of 40 units up in northeast. And the redevelopment plan will, actually, end up being 200 units, but 160 new units that would be supported by metro funding. That work is already underway, and they are hoping to do a ground-breaking in 2021. Our second phase is looking at phb's current pipeline, and really leveraging those projects that have already received some level

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of funding commitments, but not all the commitments that they need to actually reach financial close. So this will be the last money in to get those projects over the finish line to get -- to be able to start construction. These four, potential four projects, if we can make it all work, would increase significantly our housing opportunities in east Portland as well as in south waterfront. And it could be about a 330 units that we would like to see get funded in, actually, fall and winter of 2020. Our next phase -- oh, Shannon is going to talk about the last phase.

Callahan: Thank you, Molly. Thank you, commissioners. The next phase of our work with the metro regional bond as planned, first and foremost, we need to work with our partners at the joint office of Multnomah county and metro to negotiate and secure rent and supportive services funding. The metro bonds, when initially passed by voters, did not contain commitments to help us achieve the 41%, deeply affordable units that Molly had just mentioned. And in Multnomah county, we did not have available vouchers to be able to support a portion of that work, and so the here to gather ballot measure was extremely instrumental for us in being able to have a resource to move forward to complete. Our shared goals under the metro regional bond, so please know that we will be beginning those negotiations very quickly after you adopt this IGA. We then plan to release a metro bond opportunity solicitation, really, specifically to reach those targets around supportive housing that we all need to work to achieve to ensure that we are housing folks with needs and getting people out of shelters and off the streets and into permanent supportive housing. And then finally, another chunk of our work is going to be on the first phase of the Broadway corridor. As we talked about with council and the community in the past, it's very important for the housing bureau, prosper Portland and all our partners to make sure that we are developing affordable housing in the first phase of development with the Broadway corridor. So that gives you a brief snapshot of the next steps to look forward to from the housing bureau. We appreciate your time this morning, and I would ask for your support in approving this IGA. Thank you.

Wheeler: Thank you. Excellent presentation. Is there any other question before we open this up for public testimony? Karla, how many people do we have signed up for public testimony?

Karla: No one registered for this item, Mayor.

Wheeler: Very good. This is an emergency ordinance. Please call the roll.

Hardesty: Thank you, Molly and Shannon for an excellent presentation. Thank you very much for increasing the opportunity for minority and women contractors as you move forward with this work. It looks like an excellent plan. I look forward to continuing to work with you to make sure that we realize all the goals that we put into this plan. I am happy to vote aye.

Eudaly: I thank you for the presentation. I strongly support this work moving forward. We are making historic investments in affordable housing, and I really appreciate the work of the Portland housing bureau to make it happen. That being said, as we saw with these numbers, we are still only getting to a fraction of the existing need and affordable housing. I want to just quickly say that I am very happy to see that we are focusing the majority of our funds on the housing for below 80% of the MFI. I strongly support as much housing at 60 and under as possible. I think that we can incentivize the private developers in the 60 to 80% realm. Also, supportive housing, home ownership opportunities and anti-displacement being express priorities, I really appreciate. I want to just voice on the record my grave concern about the impact of COVID-19 on Portland's housing stock in the market as we move forward. We are, if the state and federal government do not act to avert the wave of evictions and foreclosures that's coming, we are throwing the doors open wide to predatory Wall Street investors to buy up hundreds or thousands of distressed property in our city, which will only serve to exacerbate our existing housing crisis. So I really want to

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emphasize the importance of us creating some kind of affordable housing acquisition funds so that we don't see naturally occurring affordable housing become extinct in our city. Again, thank you for all your work. And thank you, voters, for passing this. I vote aye.

Fritz: Thank you for the very thorough presentation and for all your good work. Aye.

Wheeler: Excellent work. Thank you. I vote aye. The ordinance is adopted. Next up is 663. **Item 663.**

Wheeler: Very good. You know the drill. We will hear now from -- is dora or casey, are you doing it today. You are doing it, okay.

Cassie Graves, Portland Housing Bureau: Thank you for having me, mayor and commissioners, this morning, almost afternoon. So vibrant city fargo is a 100-unit mixed rate market rate development. You are seeing this project here today because this is one of the financial incentives provided to buildings, subject to inclusionary housing who choose to provide the units within the buildings. It is a tenure property tax exemption on the i.h. Units and the applicable percentage of shared residential space. This particular project shows the first i.h. Option, restricting 15%, or in this building's case, 15 units, at 80%, mfi for 99 years. And those units are comprised of eight studios, six, one bedrooms, and one, two bedroom. Does anyone have any questions?

Wheeler: Any questions, colleagues?

Hardesty: Mayor, I have a question.

Wheeler: Commissioner hardesty.

Hardesty: Thank you. Thank you, cassie. My question has to do with, do you know the square footage of the two bedroom units, and are they the same for the market rate as they are for the 15 units that will be at 80%?

Graves: Yes. So the average square footage of all of the two bedroom units is 583 square feet. I do have the minimum square footage, which is 90% of that. I would have to pull up the -- try to have it. I think. The plan review set to see if they have any two bedrooms, or if they are all the same. And I just have it up right now, so thank you for your patience. So it looks like the minimum square footage that they would provide is 524 based on regulations, which is 90%, but the smallest unit that they have is 574 square feet. So it's about 12 square foot difference between the smallest two bedroom and largest two bedroom.

Hardesty: Is there a legal definition of what a bedroom is?

Graves: So in zoning code there is not a definition of a bedroom, but we do have a definition of what constitutes a bedroom, and we also distinguish between different bedroom types, like window or windowless, a situation where you would have a bedroom within a unit that has no windows, or like sliding doors to the outside, we consider that a windowless unit, so if a building has windowless units and windowed units we consider those two distinct types, so they have to provide an equal personal of each.

Hardesty: I am just very concerned that we are squeezing people into very tiny spaces, and we are calling it affordable, and it's not quite affordable for folks who actually are working two and three minimum wage jobs, so I appreciate the fact that the city has a definition. I think that we may want to reevaluate that definition because if we are giving people tax breaks to provide housing that will be affordable for 99 years, I am very concerned that we are not maximizing the square footage that would be available for families. I mean, a two bedroom is one thing, but as soon as you get to a three bedroom, and I have seen some of these multi with 600 square feet for a three bedroom which seems insane to me. I know that we will be evaluating whether or not this program is worth what we've invested in it as far as the time and energy and resources at a later date. But thank you for the answer to that question. It would be helpful if you would include that information in the materials that come to us because I find myself always having to ask

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about the square footage and whether or not there is a difference between what we are calling affordable and what the market rate is. So thank you, cassie. Appreciate that.

Wheeler: Thank you, commissioner. Cassie, does that complete your presentation today?

Graves: Yes, if there is no other questions.

Wheeler: First of all, any other questions, I will ask my colleagues. Karla, any public testimony?

Karla: No one signed up for this one.

Wheeler: Very good. This is an emergency ordinance. Please call the roll.

Hardesty: I continue to wonder about whether or not what we go as far as our return on this multi program. We are going to be doing an evaluation later, and I am hoping that it will be early enough to inform us as we continue to move forward with this program. I am concerned about whether or not we are really making life easier or harder for people who are lower income, and these multi buildings. When you have 100 units and 15 are supposedly affordable, the building is not built for the folks who need affordable units, and I would say that 80% is still not affordable, but that's just me personally. So I will vote yes for this you, but I will continue to question the logic of this particular program and whether or not the return that we get is worth all the grief that we go through to provide this opportunity to developers. I vote aye.

Eudaly: Thanks for the presentation. I like your cliff house photos behind you. I love that place. I am also always interested if we are getting a good value for what we are giving, but the trend really is towards smaller apartments and while I would prefer to see no difference between an affordable unit and a market rate unit, 12 square feet is not unacceptable to me. A micro-apartment is defined as anything under 350 square feet, so 500 plus is not tiny. It would be too small for me. But thank you, and I vote aye.

Fritz: Thank you for the presentation. Aye.

Wheeler: Good job, cassie. So this vibrant city's fargo brings the total number of private sector buildings in the inclusionary housing permit approval pipeline to 95, so we are closing in on that 100 number. That now makes a minimum of 673 units, less expensive than what they would be if these were market driven apartments. I vote aye. The ordinance is adopted. Thank you. Next item is 664. Bureau of transportation. Non-emergency ordinance.

Item 664.

Wheeler: Commissioner.

Eudaly: Thank you, mayor, this was first authorized about six years ago. Pbot has fulfilled its ends of the bargain and now it's time to assess the property and begin collecting the funds. It's my understanding that the originators of the lid, st. Lukes lutheran church, has submitted an objection to the methodology used to assess the amount owed. I welcome their testimony today. And I will be asking follow-up questions of staff and our city attorney is present today, to make sure that we are clear about the city's position. Just a reminder there will not be a vote today so if the rest of council has additional questions or concerns, after the hearing, we will be happy to follow-up with you before we bring it back for a final vote. But first here to give us details on the history of the lid and answer any initial questions is our esteemed local improvement district coordinator, andrew abbey.

Andrew Aebi, Local Improvement District Administrator Bureau of Transportation:

Andrew abbey, local improvement district administrator. I will show council a brief slide presentation in a moment. Before I do that, I noticed that when the ordinance went out over the council clerk's office, three exhibits were missing labels so I just wanted to respectfully move an amendment that we add three exhibit labels. The first one is to add an exhibit label that breaks out the 1,133,000 in cost. The second label is for exhibit c to break out the 438,000 in contractor construction costs. Then the third label is for exhibit e,

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which apportions 819,000 in lid costs. So if I could respectfully request the commissioner to move that amendment, take a vote on it, I will move onto the presentation.

Eudaly: I was going to do that after your presentation, but so moved. Can I get a second?

Hardesty: Second.

Aebi: Thank you.

Wheeler: Commissioner eudaly moves, commissioner hardesty seconds. Do you have you want to move that now.

Hardesty: I'm commissioner hardesty.

Wheeler: I am commissioner, commissioner eudaly, do you want to take this now or --

Eudaly: Let's take it now and get it out of the way.

Wheeler: Karla, please call the roll.

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

Wheeler: Aye. Amendment is adopted.

Aebi: Thank you very much. I know I was going to advance the slide presentation but for whatever reason it's not popping up on my screen here, so I am going to ask you to go ahead and advance it for me, okay. All right. So the first slide that we are looking at here, go back to that. The second slide. Go to slide number two, please. Thank you very much. So commissioner eudaly mentioned, this has been a long, complex project, a very good project, and this project really started with the street vacation ten years ago, in 2010, and inextricably intertwined with not only an original but also an amended one. You can see from this time line that we wrapped up the contractor construction three years ago in 2017. And last fall, we wrapped up an additional pavement grind and inlaid that work was done by pbob at no cost to the lid, and here we are in august of 2020, ten years later, with final assessment of the lid. Slide number three, please. So this is just a map of the lid area, so the green circle is the actual area of improvement in the lid. One of the really positive things about this project is that when we started the lid, maplewood was dead last amongst the neighborhoods in Portland for the sidewalk coverage, so when we started the lid, maplewood had only 4.5% sidewalk coverage with the completion of the lid and some additional sidewalk improvements that have occurred, now up to 25.8%, so maplewood is no longer in last place. As mentioned, just a bit closer to the citywide average of 62.7% sidewalk coverage. Slide number four, please. So the other really beneficial aspect of this project from a systemic point of view is that we have now extended the sidewalk coverage all the way from the hillsdale town center to west of the lid area, so you know, southwest Portland is well-known for having gaps in sidewalk connectivity, and vermont street has now a really good sidewalk connection all the way from hillsdale to west of where the lid area is. Slide number five. Please. So this is an area at the former southwest 46th and florida intersection. When we started this lid, st. Luke church had an obligation to improve southwest 46th avenue, that went through this area, and there was also an obligation to improve southwest florida street, and pbob didn't think it made sense to put through a street in an environmental protection zone area, so a real benefit of this project was to remove the southwest 46th avenue and florida street from a requirement that otherwise was placed on st. Luke to build the street improvements. And one of the key things that the lid did and we knew this going into the lid, is that there was sanitary sewer deficiencies in this area, and so the -- we were able to take advantage of the opportunity to extend the sanitary sewer, and no longer have the septic tanks in the area of this environmental protection zone. And slide number six, please. This is a picture of southwest 45th avenue before we started the lid, so we had no sidewalks on the west side of the street. And you can see that bus coming up the street, and you can see somebody trying to back into a gravel, shoulder parking space. There is literally no place for pedestrians to walk here. Slide number seven, please. And this is an after-picture of southwest 45th avenue. You can see the picture there on the left right after we poured that new sidewalk. And the picture on the right is

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three years later. Just on the other side of California Street looking north side, we were able to leverage the pot maintenance operation funds to come in after we had the Swiss cheese and the pavement of Southwest 45th Avenue, and as I mentioned, the no cost to the lid, we were able to put a nice paving overlay, and restripe the Southwest 45th Avenue. And that concludes my powerpoint presentation before I turn it over to the property owner testimony. I did want to walk through the additional benefit of the lid that I did not include in the powerpoint presentation. So by building the sidewalk infrastructure, we were able to work with the Bureau of Planning and Sustainability, with the zoning upgrade, so the area of the lid along Southwest 45th Avenue on the west side, but also the east side of Southwest 46th Avenue, most of that used to be zoned R7. We were able to get that upgraded to RM2 zoning because we were building the sidewalk infrastructure, so the net result of that is that 83,151 square feet of property area was added to the RM-2 zone. Of that, 34,317 square feet is the area currently owned by St. Luke and 48,834 square feet is owned by LLC. That is a 41.3 and split. If you look at the area of RM2 upzone outside of the exempted zone area, the total area that we added to the lid, that is, has added development potential is 81,248 square feet of which 32,414 square feet is St. Lukes, and 48,834 square feet is Gabriel and 45 the LLC, were a split of 39.9%, and 60.1%. So I just wanted to add in that additional development potential benefit, and I am happy to turn it over to the property owner testimony and answer any questions that council might have.

Wheeler: Thank you, Andrew. I appreciate it. Are there any other questions right at this moment? Karla, how many individuals are signed up for public testimony?

Karla: One person, Joan Snyder.

Wheeler: Joan, you are up.

Joan Snyder: Can you hear me?

Wheeler: Yep. You are good to go.

Snyder: Thank you. Commissioner Eudaly, Fritz, Hardesty, and Mayor Wheeler, thank you for this opportunity to speak on this issue. I am Joan Snyder, and I am speaking on behalf of St. Lukes Lutheran Church of Portland, which is one of two property owners that will be subject to this assessment. I want to focus here on four things. Community fairness, legal process, and transparency. St. Lukes Church is all about community, and my shorthand explanation for our church is that we are a social justice striving, environmentally active, roll up our sleeves and service kind of church. So from the perspective of community, I applaud everything that Mr. Abbey just said. St. Lukes is pleased this lid brought in streets, sidewalks, and stormwater improvements that the Southwest community wanted and deserved so we are very pleased with the outcome of the lid construction. My second point is fairness. As set forth in our written testimony, St. Lukes thinks it is substantively unfair to ask 76.7% of the cost of these improvements based on the square foot methodology. I have gone into this more in my written materials, but let me explain it here in the context of stormwater improvements, which were a large part of the work. Most of the St. Lukes property, as you could see from that second slide that Mr. Abbey put up, is interior to the streets. And St. Luke has done the extensive and expensive work to address the stormwater that is generated on that property. So prior to this whole project, in the course of grading our back parking lot, we installed extensive vegetative swales, which I think exceed what you see now in most properties in Portland, including the business properties. Our environmental committee separately installed a stormwater swale on our California Street property, and then as part of the building project, our permit required, and we did additional very extensive stormwater work. Including at least three more constructed stormwater swales. It might have been four. And notably in terms of the public benefit we added a large, taking up a large amount of our property, vegetative, infiltration basin on our Vermont Street property to address not only our stormwater, but the city, street stormwater. We specifically entered into an agreement with the city that it could divert overflow from the

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vermont street stormwater swales it was installing into our infiltration basin, and we have the obligation to maintain it. So we have spent hundreds of thousands of dollars to address the stormwater being generated on the interior of our parcels. It takes me to the issue of fairness. We believe it would be fair to assess st. Luke and the other property owners in the lid, on a linear frontage basis, for the additional street focused stormwater improvements, but that it would be unfair to assess us on a square footage basis, when we have had to assume that all the cost of all the improvements for the interior portion of the properties. So the lid is providing the benefit of linear street related stormwater services, but we are being charged if it benefited the entire parcel. The written materials go farther into that issue with respect to the sidewalks and street improvements. Third on the issue of legal process, I know I don't have time to go far into this issue but it's addressed in our written testimony. The city code and state law say the city council has the obligation at this time, at the time of the final assessment ordinance, to look at the relative benefits being provided to properties being assessed under the lid, and that code says the city has no authority to enter into any agreements that negate the deed for that determination. And my fourth issue is transparency. Our written testimony addresses the ways of this process lacked transparency for st. Luke, including that we found out for the first time a week before this hearing that the city had entered into agreements with the second lid party, which at least that party contends controls the outcome of the hearing. We think that the city should determine how to address transparency going forward. Particularly, this may be a narrow circumstance but our circumstance where we entered into the lid as a single payer lid, and then the lid was amended without our knowledge to add another payer without any conversation. We think it just would have been tremendously helpful if when the second party joined the lid in 2015, the city had told us that was going to happen, and held a meeting between the two property owners at that time, we could have discussed the additional scope of work, and cost estimates, and see whether there could be an agreement between the parties, on an apportionment approach.

Karla: That's three minutes.

Snyder: Thank you for your time and attention.

Wheeler: Thank you. Appreciate it. Colleagues, any further discussion on this matter? Commissioner Fritz.

Fritz: Thank you for your testimony. We just received the document last night or this morning, so I haven't had a chance to review it, and I don't know that Andrew Abbey has, as well, has either. Andrew, do you have any comments just primarily? I appreciate the, that commissioner Eudaly said we are not voting until next week so we can get a further analysis, but if you have any comments I would be interested to hear.

Aebi: Yes, thank you, commissioner. Andrew Abbey, local improvement administrator, I don't think I need to get into the details of, you know, all of the discussion items. I can certainly follow-up with council between now and next Wednesday, but I would like to, if I may, just make a few very basic points. A couple things, we were transparent on this lid. So the lid petition that was signed by st. Luke's had in it the square footage assessment methodology. And as a matter of fact, if you look at exhibit f, attachment 3, you will see that st. Luke put together the lid so to speak, and that they did not want their neighbors to be assessed in theory, we could have had a conversation prior to petitioning the lid about asking their neighbors to pay more than what we are currently charging, but the lid, basically, carried out what st. Luke asked me to carry out in 2014. That was reflected in the lid petition, and it was reflected in the resolution approved by council, and it was reflected in the lid formation ordinances. The work agreement negotiated with the adjoining property owner with delegated authority that was included in the formation ordinance. This is -- I just want to make two really basic points that I think is important for council to understand. In no circumstance would I recommend an abutting footage methodology of the costs

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proceeds to be assessed 129,302 is for water main improvements. The benefit of those water main improvements was that the st. Luke sanctuary that was recently remodeled now is -- has been brought into fire code compliance. If we were to adopt an abutting methodology that property would be completely exempt from assessment even though it significantly benefited from the water main improvements. Lastly what I wanted to say is that I read through the testimony that st. Luke sent yesterday, and they were asking to pay as little as 45% of the lid, which translates into about 376,000. If you look at the cost of the water main improvements and look at the engineering cost, the st. Luke assessment that they are proposing would barely cover the cost of the water main improvements and the engineering costs that were driven by having to coordinate with st. Luke when they were doing their site improvements and wouldn't begin to charge st. Lukes for the actual other infrastructure improvements constructed by the water main improvement. In closing I want to tell council that I feel very comfortable that this is a fair assessment methodology, and as I mentioned earlier, at the tail end of the slide presentation, st. Lukes has received future development potential from the rm2 zone so my respectful recommendation to council is to not amend the lid formation ordinance other than the amendment that's already been made, and in closing I want to say that notwithstanding the objection to the final assessment, it has been a distinct privilege to work with st. Luke and their wonderful community partner, and I appreciate the opportunity to have work on the project with them. Thank you.

Wheeler: Thank you, andrew. Commissioner eudaly.

Eudaly: Thank you, mayor. First I want to thank joan snyder for coming today and giving testimony, and just thank the st. Lukes church for their stewardship of this land and service to our community. This is an interesting situation. I also want to thank andrew abbey for his hard work on this. This lid predates not only my guidance of pbot, but my term on the city council, so he's been working on this for a long time. I deeply trust and respect your work. And I am going to ask a couple of questions, and it may be that they are more appropriate for linly, but andrew, if you want to weigh in, feel free. I understand your explanation of the methodology and why abutting linear footage wouldn't be appropriate. It makes sense to me. What I don't know is why the church initially didn't want the adjacent property owner to pay into the lid. Typically, all benefiting property owners would be participants who would contribute. And I guess if there is any precedence of a situation like this where we have agreed on the terms, and then ownership of involved property changes, and we have to go back and amend after the fact. I imagine it would be problematic to amend since the new property owner didn't participate in the formation of the lid or agree to any of the terms of the outset. So any thoughts on that?

Rees: So andrew, I will jump in on our second question, commissioner.

Aebi: Okay.

Rees: In terms of the formation methodology and whether you could add additional property owners at this late date, the answer is not really unless you go back and reform the district. You have -- you have steps set forth both in the state statute and in our code where you have a resolution of intent, you have a formation hearing, for which you have notice and opportunity to remonstrate, and a hearing. And then once the project is completed, you come back and you assess, and our code requires it be based on the formation -- the assessment methodology that you adopted a at formation, so without, you know, starting a fresh and giving notice and an opportunity to remonstrate, you could not really change the assessment methodology. So I think that --

Eudaly: And the other challenge is the work has already been done and the city has footed the bill, so I guess my remaining kind of concern or sticking point is that should we have revisited the lid with all of the parties when that change in ownership happened

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because now, when it's completely after the fact, there is not a lot that we can do other than --

Aebi: Commissioner, I think what's really important to understand is that when I started my discussions with st. Lukes they were dead in the water with the street vacation, and we were not on track to getting their permit to do the first phase of the capital campaign. So this situation was entirely foreseeable. at the house next door on a large lot and see at some point it was going to be developed, but, you know, I submit that this was a business decision that was made, that there is a difference in timing of the development. And the next door property at some point was going to be developed, st. Lukes was developing right away, and the street vacation , they approached me with the lid solution to get them out of having to build sidewalk improvements on southwest 46th avenue, instead building lower improvements on southwest 45th avenue so they could get their street vacation done and move along with the first phase of their capital campaign and the associated improvements.

Wheeler: So colleagues, could I suggest, since this is just a first reading, so we are not taking a vote today, and I have a hard out that I am going to extend to 12:35, which means I am really pushing my luck here. So why don't we do this. Why don't we move this onto the second reading, and if there is further discussions, they could happen this week, and if someone wants to bring back a change next week, that's fair game, and I would be open to that if somebody suggests that.

Aebi: And I will be happy to follow-up, commissioner. If I can just make one final point, which is --

Wheeler: If it's quick.

Aebi: the scope items that were contemplated at lid formation, did not cost all that much money so the net effect of this is what you really had. Another property owner joining the lid and helping us set some of these additional costs, which benefited st. Lukes, so I think that this is a very symbiotic project. Everybody has gained a lot. Everybody gained a little, and in my final analysis I feel comfortable this is fair.

Wheeler: Thank you, andrew. Appreciate it. Commissioner eudaly, is that okay with you if we move on.

Eudaly: That's fine. Thank you, andrew. And colleagues, if you have any questions or concerns, feel free to contact my office. We would like to bring it back next week, but I am willing to extend if necessary.

Wheeler: Sounds good. Thank you, and andrew, thank you, as always, for your thorough work on this. This is a first reading, non-emergency ordinance, moves to second reading. Next item, and I believe it's going to be returned as 665. Water bureau.

Wheeler: Commissioner Fritz.

Fritz: Thank you, mayor. I would like to pull this back to my office.

Wheeler: So agreed. Next item, and our last one, 655, which is pulled off the consent agenda.

Wheeler: Colleagues, summerworks is a partnership with worksystems, inc., the city of Portland, Multnomah county, Washington county and private businesses that work to provide educational training and employment opportunities engaging the youth ages 16-24 years old. And this legislation will establish a grant agreement with worksystems, inc. And the city of Portland for youth interns through the summer works program, and the goal of the summer works program is to enhance self reliance and employability of the youth by assisting them in the development of work and life skills. The interns have the opportunity to work alongside the city employees and developing and further own their employment skills. Over the years, the city of Portland has had a history of investing in young people through funding various programs in the areas of after school and recreational activities, youth employment programs, creating seasonal job training, work experience, internship,

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and job shadowing opportunities. We have tiffany pence in here to answer any questions. Good morning, tiffany. We all are familiar with this program. It made it onto the consent agenda but I think that there was follow-up questions that people might have had. So why don't we forego the presentation and go right to the q&a. Commissioner hardesty.

Hardesty: Thank you, mayor. I pulled it off the consent agenda because as we all know it's mid august. So the original material I got did not give me the details about what would be different with this half million dollar allocation. I have since then received lots of information about it not being a summer works program, but actually, a year long program that will allow these young people to be employed or to get support services from community, social service agencies. Had I had that information at the beginning I would not have pulled it off the consent. I have it. My questions have been answered. And I am ready to vote.

Wheeler: Awesome. Very good. Colleagues, anything else on this? Commissioner eudaly, your hand is up but I think that's from last time?

Eudaly: That's correct.

Wheeler: All right. Karla, please call the roll.

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

Fritz: Tiffany pence and andrew, thank you for being on the call all morning waiting for this. Aye.

Wheeler: Yes. It's always an educational experience, and I hope that you at least enjoyed that. Cheaper than college. I vote aye. The ordinance is adopted. Thank you all. We are adjourned.

Council adjourned at 12:30 p.m.