



CITY OF
Portland, Oregon

Official
Minutes

March 3, 2021

Date and time

March 3, 2021 at 9:30 a.m.

Council recessed at 1:35 p.m.

Officers in attendance

Keelan McClymont, Clerk of the Council; Naomi Sheffield, Deputy City Attorney

Consent Agenda

On a Y-5 roll call, the Consent Agenda was adopted.

Date and time

March 3, 2021 at 2:15 p.m.

Council adjourned at 4:12 p.m.

Officers in attendance

Keelan McClymont, Clerk of the Council; Linly Rees, Chief Deputy City Attorney

MARY HULL CABALLERO
Auditor of the City of Portland

By **Keelan McClymont**
Clerk of the Council

**PORTLAND CITY COUNCIL AGENDA
City Hall - 1221 SW Fourth Avenue
WEDNESDAY, 9:30 AM, MARCH 3, 2021**

Those present by videoconference were: Mayor Wheeler, Presiding;
Commissioners Hardesty, Mapps, Rubio and Ryan, 5.

Disposition:

City Hall is closed to the public due to the COVID-19 Pandemic.

Under Portland City Code and state law, the City Council is holding this meeting electronically. All members of council are attending remotely by video and teleconference, 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.

Provide Public Testimony: City Council will hear public testimony on resolutions and ordinances (first readings only). Testimony is not taken on communications, reports, second readings, proclamations or presentations in accordance with Code 3.02.040 F. and G. Public testimony will be heard by electronic communication (internet connection or telephone). Please identify the agenda item(s) you want to testify on, and then visit the Council Clerk's agenda webpage to register, www.portlandoregon.gov/auditor/councilagenda. Provide your name, agenda item number(s), zip code, phone number and email address. Individuals have three minutes to testify unless otherwise stated at the meeting.

The deadline to sign up for the March 3, 2021 Council meetings is March 2, 2021 at 4:00 p.m.

Email the Council Clerk at councilclerk@portlandoregon.gov with any questions.

COMMUNICATIONS

115	Request of Chris Chorn to address Council regarding acoustic harassment and assault (Communication)	PLACED ON FILE
116	Request of William Mespelt to address Council regarding houselessness and the Peninsula Crossing Trail (Communication)	PLACED ON FILE
117	Request of Margaret Zebroski to address Council regarding Hazelnut Grove Tiny Cabin Village (Communication)	PLACED ON FILE
118	Request of Betty Holladay to address Council regarding Hazelnut Grove Tiny Cabin Village (Communication)	PLACED ON FILE

119	Request of Barbra Weber to address Council regarding keeping Hazelnut Grove as a solution to the housing crisis (Communication)	PLACED ON FILE
TIMES CERTAIN		
120	TIME CERTAIN: 9:45 AM – Complete periodic sunset review of the Tourism Improvement District two percent license fee as required by City Code Section 6.05.130 (Resolution introduced by Mayor Wheeler and Commissioner Mapps) 20 minutes requested for items 120-121 (Y-5)	37531
121	Amend Portland Tourism Improvement District to add Tourism and Hospitality Recovery Surcharge and revise the periodic sunset review requirement (Ordinance introduced by Mayor Wheeler and Commissioner Mapps; amend Code Chapter 6.05)	PASSED TO SECOND READING MARCH 10, 2021 AT 9:30 AM
122	TIME CERTAIN: 10:05 AM – Proclaim March 2021 to be Women’s History Month (Proclamation introduced by Mayor Wheeler) 20 minutes requested	PLACED ON FILE
123	TIME CERTAIN: 10:25 AM – Appeal by Walter Weyler representing the Downtown Neighborhood Association against the Design Commission’s decision to approve a ground level remodel of a 23-story mixed use building at 1000 SW Broadway, which is in the Downtown Sub-District of the Central City Plan District (Previous Agenda 93; Findings introduced by Commissioner Ryan; LU 20-176578 DZ) 10 minutes requested Motion to deny the appeal and uphold the Design Commission’s decision and adopt the findings: Moved by Hardesty and seconded by Ryan. (Y-5)	FINDINGS ADOPTED
124	TIME CERTAIN: 10:35 AM – Assess benefited property for street and mast arm traffic signal improvements from NW 9th Ave to north of NW 19th Ave in the NW Front Ave – Naito Pkwy Local Improvement District (Hearing introduced by Commissioner Hardesty; Ordinance; C-10056) 15 minutes requested	PASSED TO SECOND READING MARCH 10, 2021 AT 9:30 AM
CONSENT AGENDA – NO DISCUSSION Mayor Ted Wheeler Office of Management and Finance		

March 3, 2021

*125	Authorize grant agreement with CareOregon, Inc. in amount not to exceed \$70,000 for development of the Behavioral Health Emergency Coordination Network to help individuals experiencing a behavioral health crisis (Ordinance) (Y-5)	190305
Commissioner Jo Ann Hardesty Bureau of Transportation		
*126	Authorize a contract with the lowest responsible bidder for the Outer Halsey Safety Project (Ordinance) (Y-5)	190306
127	Amend Public Improvement Definitions to restore Responsible Engineer and amend incorrect citations within Public Improvement Definitions, Local Improvement District procedure and Property Owner Responsibility for Streets (Second Reading Agenda 111; amend Code Sections 17.04.010, 17.08.010 and 17.42.040) (Y-5)	190307
Fire & Police Disability & Retirement		
*128	Amend contract with Milliman, Inc. to extend contract by two years and increase contract amount by \$40,000 for amount not to exceed \$615,000 (Ordinance; amend Contract No. 30003232) (Y-5)	190308
REGULAR AGENDA Mayor Ted Wheeler		
129	Designate the first Monday in March as COVID-19 Memorial Day (Proclamation) 25 minutes requested	PLACED ON FILE
Office of Management and Finance		
130	Appoint Robert Taylor as City Attorney effective February 22, 2021 (Resolution) 15 minutes requested (Y-5)	37532
*131	Authorize a contract with Astound Broadband LLC, Inc. in the amount of \$11 million to provide fiber optic network services (Ordinance) 20 minutes requested (Y-5)	190309
Commissioner Carmen Rubio Parks & Recreation		

March 3, 2021

<p>*132 Amend Interim Management Agreement with Pioneer Courthouse Square, Inc. to extend the term of the agreement and increase amount by \$570,000 (Ordinance; amend Contract No. 30006698) 10 minutes requested (Y-5)</p>	<p>190310</p>
<p style="text-align: center;">Commissioner Jo Ann Hardesty Bureau of Transportation</p>	
<p>*133 Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the NE 60th Avenue and NE Halsey Street Area Improvements project, through the exercise of the City's Eminent Domain Authority (Ordinance) 10 minutes requested (Y-5)</p>	<p>190311</p>
<p>*134 Authorize the Bureau of Transportation to acquire certain temporary rights necessary for construction of the North Lombard Street: St Louis-Richmond Roadway Improvement project, through the exercise of the City's Eminent Domain Authority (Ordinance) 10 minutes requested (Y-5)</p>	<p>190312</p>
<p style="text-align: center;">Office of Community and Civic Life</p>	
<p>135 Authorize the addition of two coordinator positions in the Office of Community and Civic Life and authorize a grant agreement with a nonprofit organization to provide liability insurance coverage for neighborhood associations and place-based community groups in Southwest Portland (Ordinance) 30 minutes requested</p>	<p style="text-align: center;">PASSED TO SECOND READING MARCH 10, 2021 AT 9:30 AM</p>
<p style="text-align: center;"><u>WEDNESDAY, 2:00 PM, MARCH 3, 2021</u></p> <p>Those present by videoconference were: Mayor Wheeler, Presiding; Commissioners Hardesty, Mapps, Rubio and Ryan, 5.</p>	
<p>136 TIME CERTAIN: 2:00 PM – Amend the Comprehensive Plan Map and the Zoning Map to implement the Expanding Opportunities for Affordable Housing – Package B (Ordinance introduced by Commissioner Rubio) 2 hours requested</p> <p>Written and oral record is closed.</p>	<p style="text-align: center;">PASSED TO SECOND READING MARCH 10, 2021 AT 9:30 AM</p>
<p style="text-align: center;">REGULAR AGENDA</p>	

March 3, 2021

<p>*137</p>	<p>Waive Portland Zoning Code requirements for the ground floor/first floor of buildings located in the Design Overlay Zone for the installation of lighting and security gates on exterior facades during COVID-19 emergency (Ordinance introduced by Mayor Wheeler and Commissioner Ryan; waive Code Chapter 33.420) 30 minutes requested</p> <p>Motion to delete findings 7 and 9 of the filed ordinance and replace with new findings 7, 9 and 10: Moved by Ryan and seconded by Hardesty. (Y-5)</p> <p>(Y-5)</p>	<p>190313 AS AMENDED</p>
<p style="text-align: center;">Commissioner Mingus Mapps</p> <p style="text-align: center;">Bureau of Environmental Services</p>		
<p>*138</p>	<p>Authorize the Bureau of Environmental Services to acquire certain permanent and temporary property rights necessary for construction of the NW Aspen Combined Sewer Extension Project No. E10953, through the exercise of the City's Eminent Domain Authority (Ordinance) 10 minutes requested</p> <p>(Y-5)</p>	<p>190314</p>
<p>139</p>	<p>Authorize a contract with CherryRoad Technologies Inc. for Infor Public Sector licenses and software for an amount not to exceed \$4,060,000 over a five-year period (Second Reading Agenda 113)</p> <p>(Y-5)</p>	<p>190315</p>
<p style="text-align: center;">Water Bureau</p>		
<p>140</p>	<p>Authorize the purchase of 2.00 acres of real property at 35227 SE Carpenter Lane in the amount of \$875,000 to be used for the Bull Run Filtration Project (Ordinance) 10 minutes requested</p>	<p>PASSED TO SECOND READING MARCH 10, 2021 AT 9:30 AM</p>
<p style="text-align: center;"><u>THURSDAY, 2:00 PM, MARCH 4, 2021</u></p> <p style="text-align: center;">DUE TO LACK OF AGENDA THERE WAS NO THURSDAY 2:00 PM MEETING</p>		

March 3, 2021
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. The official vote counts for council action are provided in the official minutes.

Key: ***** means unidentified speaker.

March 3, 2021 9:30 a.m.

Wheeler: Hello. This is the Wednesday, March 3, 2021 session of the Portland city council.

Keelan, please call the roll.

Clerk: Good morning, Mayor. Rubio?

Rubio: Here.

Clerk: Ryan?

Ryan: Here.

Clerk: Hardesty?

Hardesty: Here.

Clerk: Mapps?

Mapps: Here.

Clerk: Wheeler?

Wheeler: Here. Under Portland city code and state law, the city council is holding this meeting electronically. All members of the council are attending remotely by video teleconference. The city has made several avenues available for the public to listen to the audio broadcast of this meeting. The meeting is available for 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 the council by e-mailing the council clerk at -- cctestimony@PortlandOregon.gov the council is taking these steps as a result of the covid-19 pandemic, 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 communications. Thank you as always for your patience, your flexibility and your understanding as we work together and manage what is a challenging circumstance. We'll now hear from legal counsel on the rules of order and decorum.

Naomi Sheffield: Good morning. To participate in council meetings, you may sign up in

March 3, 2021

advance with the council clerk's office for communications to briefly speak about any subject. You may also sign up for public testimony on resolutions or the first reading of ordinances. The published council agenda at PortlandOregon.gov/auditor contains information about how and when you may sign up for testimony while the city council is holding electronic meetings. Your testimony should address the matter being considered at the time. When testifying, please state your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify it. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When 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 other's testimony or council deliberations will not be allowed. If there are disruptions, a warning will be given that further disruptions may result in the person being placed on hold or ejected from the remainder of the electronic meeting. Please be aware that all council meetings are recorded.

Thank you.

Wheeler: Colleagues, just sort of a heads up, strap-in. This is going to be a long day. I would expect that the council will be in session in our two sessions until 5:00 p.m. This afternoon. It's my objective to move the morning session along. I would like to us be adjourned no later than 1:00 p.m. So we have a break from 1:00 to 2:00. Given that, I may choose to limit public testimony to two minutes if we have a lot of people signed up. But we'll start with communications. That is three minutes each. Name for the record. And Keelan, call the first individual.

Clerk: 115, request of Chis Chorn to address council regarding acoustic harassment and assault. We heard from Chris that they have withdrawn their request.

Wheeler: Thank you.

Clerk: 116, request of Will Mespelt to address council regarding homelessness and the peninsula crossing trail.

Wheeler: Good morning.

Will Mespelt: Good morning. One second. They are letting me share my screen and I don't want to screw it up. See if this works. You will see it for a second. It's screwing up my time but you'll start. Hi, city council. I am Will Mespelt. Live and work managing apartments in north Portland. You may have remember me from a few weeks ago and I have returned in the hopes that the squeaky wheel will remain in your memory and inspire action and change. First off, side note. For Mayor Wheeler, I want to offer up my sympathy for the constant harassment you face in public. There is no place for confronting and intimidating anyone on the council and the public because

March 3, 2021

of political disagreement. Then also, also screwing up my time, you will see the next few people going are from hazelnut grove, which is purely coincidence. We didn't coordinate. It just highlights the needs we are facing here in our community. Local policy including those adopted by the council have kneecap the only option for the help in the community; specifically, north Portland, with the current issues related to houselessness. The clean-up crew had delayed contract prior to the pandemic. P. P.d. And the team was cut for almost the whole year. Street response has not, is not in the area and it's very limited in scope. Hazelnut grove, one of the few alternative communities in the area that people support has been on the chopping block until recent public backlash. The testimony last week for grove was compelling and should help this council see the need for the options. These actions are unnatural being is that this is the biggest problem facing the city today. The need is highlighted by recent events. Last week alone here at the p.c.t., there were two fires destroying multiple campgrounds. We had three campers locked themselves on the property in common areas and we had to be asked to leave. Last Monday we had two campers I witness steal from the residents' patios. Then on Sunday night, I saw a man carrying a rifle through the street in to the camp at the p.c.t. Later learned that this same individual that night tried to break in the storage facility by the trail. Even after informing p.p.d. A bit of good news, a few sections of the trail have been posted for clean-up this week. But a recent meeting with the city officials a couple of weeks ago left all of us disappointed that even if the trail was cleaned, it would be fully expected that the campers would return just as before. Simply given fire safety training. Band aid solution to a gunshot wound problem and what is needed remains alternative housing options. You will see the poster here, I think. I have made this in jest. But at the same time I'm dead serious. I know the city has plenty of experts, study and data on the number one problem we have in the city. We have seen countless plans over the years. For those in the community, it seems that nobody is ready to do the dirty work. My offer is this. Let me do it. I'm highly motivated because I genuinely care about people, no matter who they are. I will help find places for people to stay. I will be the bad guy at the neighborhood meetings and on zoom taking flak from residents. I don't care if people don't like me or yell at me. I have no public persona to tarnish. I have no interest in infighting because we are all on the same team. You can take the credit for everything. You may think of this for something put out by a silly fool but is it foolish to want to see something done? Thanks.

Wheeler: Will, thank you. I appreciate your comments. And I appreciate your thoughtfulness. And as all of us from this dais have said, we are not going to solve the problem alone. It's too big. And so we do need people like you. We need leaders like you. Work with us and help us find the

March 3, 2021

alternative locations. We have a lot of good people out there who are currently working with the council and working with our other jurisdictional partners. You have offered this in the spirit of cooperation, collaboration because you love the city. And I respect that. And we hope you will stay in touch. Let us know how things are going. Next individual, please, Keelan.

Clerk: 117, request of Margaret Zebroski to address council regarding hazelnut grove tiny cabin village.

Wheeler: Good morning, Margaret.

Margaret Zebroski: Good morning. I'm Peggy Zebroski in public.

Wheeler: Okay. Thank you.

Zebroski: I'm a resident of the overlook neighborhood for some 15 years. I retired from the Multnomah county health department as a p.a. About five years ago. Since then, I have spent a lot of time down with the folks at hazelnut grove. And today, I wanted to do a follow-up to the decision by Mayor Wheeler and dan Ryan and let you know what hazelnut's only neighbor, the housed neighbor who can actually see the village has to say what about impressions of the village have been. I'm reading a letter then to you by Charles Shuvigny. My name is Charles Shuvigny and I own the property to the north of hazelnut grove at 3265 north interstate. Through mass media, I learned that hazelnut grove was being decommissioned and the residents of the grove offered housing in a new low-income development in St. Johns. I have been trying for some time to contact Sarraphe Allen referred to me by a general city contact number as the liaison with the city concerning hazelnut grove inquiring about the future of the property. After repeated attempts, three calls and three e-mails, there was no response from Ms. Allen. As I washed the gate of my property, I was approached by Barbra Weber who informed me she wastels living at the grove with multiple residents who are now for various reasons willing to move to St. Johns. She is heading an action to keep the grove as a domicile for low-income residents and was meeting with you on 2/23/21 to discuss approaches to achieve this result. She asked me to write this letter in support -- to support her action to continue living at the grove and make this domicile permanent. My family has owned our property since 1979. Below it has always been a place where camping and homelessness happened without any direction or permission. Fires, garbage, drug abuse, et cetera, were commonplace. With no interdiction from the police or the fire department. Every since hazelnut grove was organized there was an organization that made sure fires were contain and social structure was maintained. They have been for 5 1/2 years clean, quiet and respectful. They have been more than willing to invite both the city and the private citizens to come in and see what and how they were living, making

March 3, 2021

changes to be good neighbors. And they have been exemplary neighbors. My personal opinion is the city should build a permanent communal bathroom, sewer on the north border of the camp so it would be a perfect place for people of limited means to stabilize, get clean, get a job and move on if they would like instead of living hand-to-mouth on the street and being preyed upon by criminal elements. I think this property is ideal for the purpose." it looks out I've run out my time. Listen to people like me and Charles who have real knowledge of hazelnut grove about what we should do at that property, please. Thank you.

Wheeler: Thank you, Peggy. Appreciate your testimony. Next individual, please, Keelan. 118

Clerk: Request of Betty Holladay to address council regarding hazelnut grove tiny cabin village.

Betty Holladay: Hello. Good morning. Mayor Wheeler and Commissioners, my name is Betty Holladay.

Wheeler: Good morning.

Holladay: I'm a resident of Multnomah county. And a member of the save hazelnut grove steering committee. And I'm affiliated with the Oregon poor people's campaign. Just a brief statement for today. Hazelnut grove and its community supporters along with the 7,000 signers of our petition are happy about the decision we received from the Mayor and Commissioner Ryan that hazelnut grove will be left intact for the foreseeable future. We have been encouraged to submit an application to be approved as an outdoor shelter and will do so. However, hazelnut grove does not readily fit in to a category of transitional shelters managed by social service non-profits. Though we have counted up to some 43 folks who have moved on to housing or other communities. What we are requesting of you today is a decision from a united and consistent council that hazelnut grove be given a permanent status which would clearly direct the agencies under your guidance to cooperate in making this visionary community a sanctioned home. Thank you and we look forward to working with you in the future.

Wheeler: Thank you, Betty. I appreciate your testimony. Next up, Keelan, 119, please.

Clerk: Request of Barbra Weber to address council regarding keeping hazelnut grove as a solution to the housing crisis.

Wheeler: Good morning.

Barbra Weber: Good morning, Mayor and Commissioners. I'm Barbra Weber. I'm a resident of hazelnut grove. I also want to repeat what betty said and thank you for letter that states hazelnut grove be left intact and we are rigorously putting together the proposal, the r.f.q. Although we really weren't looking for funding, we were looking for permanence. We were looking for an ordinance to be passed for the grove to stay where it is intact. It's a vital resource as far as the

March 3, 2021

homeless community in the city of Portland. And it has been for some 5 1/2 years. It's not a perfect place for everybody, but it's a place for people to come and stabilize and get their life back on track. I have been one of those people who benefited from that greatly. And I want to see this community stay. This community has uplifted me in many ways that quite honestly I don't feel social service providers could do, because there is an unbreaking trust of people when you have been through similar circumstances. That there is an understanding that goes. This community has been established and working together for a very long time. And as you can see, their ideas and the way, it's now shaping the way that Portland will be addressing homelessness. And I think for just history's sake, this community has won its permanency and I think we should move forward in doing so. Thank you.

Wheeler: Thank you, Barbra. We appreciate your testimony as well. Thank you for being here. Why don't we get to the consent agenda. Keelan, have any items been pulled off the consent agenda?

Clerk: We have had no requests.

Wheeler: Please call the roll.

Clerk: Rubio?

Rubio: Aye.

Clerk: Ryan?

Ryan: Aye.

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Wheeler?

Wheeler: Aye. The consent agenda is adopted. And we'll get to the time certain item. Could you please read items number 120 and 121 together.

Clerk: Complete periodic sunset review of the tourism improvement district 2% license fee as required by the city code section 6.05.130. 121. Amend tourism improvement district to add tourism and hospitality recovery surcharge and revise the periodic sunset review requirement.

Wheeler: Thank you. Colleagues -- sorry. You read 121 as well?

Clerk: Yes. I read both of them.

Wheeler: Great. Thank you. Colleagues, I'm pleased to introduce this giant effort with Commissioner Mapps who is the city's liaison to travel Portland. Today we are going to review

March 3, 2021

the tourism improvement district and consider some proposed changes. As we will hear from travel Portland, the fees collected through the tourism improvement district help build traumatic growth in the tourism and hospitality industry since 2012 and will be a key tool to help the industry recover from covid-19. With that, we'll turn it over to Commissioner Mapps. Good morning.

Mapps: Thank you, Mr. Mayor. As the liaison to travel Portland, I learned how important the tourism industry is to the city. Prior to the pandemic, tourism and the hospitality industry accounted for almost 37,000 jobs here in the Portland metro area. Visitors to our city pump nearly \$5.6 billion in the local economy every year. And an important part of this shindig is the transient lodging taxes. The taxes go directly to the general fund. Under a normal year we would expect \$39 million in transient taxes to go to general fund. We use the general fund to pay for services like parks and planning and emergency services. Through my recent conversations with travel Portland, I have also come to understand how daunting the economic recovery is for this industry. It's clear that the travel and the tourism industries are going to need help with recovery. So, when travel Portland and industry leaders came forward with a proposal to increase the tourism improvement district fees by 1%, to help fill the void left by covid, I was happy to support it. Here to present the sunset review of the tourism improvement district and proposed increases are Karl Lisle, the city specter venues and the city program manager. And jeff miller, president and c.e.o. Of travel Portland. Mike daily, chair of the t.d.i. Board and general manager for the Sheraton Portland airport hotel. Martin Martinez of orox leather company. Thank you for joining us today, gentlemen. Let me turn it over to carl.

Karl Lisle: Karl lisle, office of the management and finance. I just had a little bit of the legislative background on kind of where this came from. The tourism improvement district, often called the t.i.d., came at the request of the industry leaders in 2012 and became chapter as 6.05 of the Portland city code. Recognizing the highly cyclic pattern of the visitors to Portland, hoteliers proposed a fee to help sustain the winter months when the bookings typically decrease significantly. The fee set at 2% of the room rate charge. Initially only applied to hotels with 50 rooms or more. The fee was also required to undergo periodic sunset review to assure it was achieving the intended purposes. In 2018, the code was modified to extend the t.i.d. Fee to short-term rentals that use booking platforms. And also to apply it to all hotels regardless of size. Under the existing code, the 2% fee is now due for sunset review through which council must determine if the fee should be terminated. Two items are being presented jointly today. The first is a resolution that covers the required sunset review under code section 2.05.13 -- 6.05.130.

March 3, 2021

Based on the success from Jeff Miller and his guest, they conclude that the tourism improvement district should not be determined -- should not be terminated. It will be voted on today. The second item is ordinance to amend cochapter 6.05. If approved it will eliminate sunset review for the existing 2% fee, implement a 1% surcharge to the t.i.d. Fee effective July 1 this year and create requirement for the sunset review of the new surcharge 1% every five years. The ordinance will pass a second reading next week. So, notice of today's hearing was sent via postcard to 232 registered hotels, booking platforms and short-term rental hosts who do not use the platforms. The postcard was mailed to have reached recipients at least ten days ago and provided a website link where the full information about the proposal could be reviewed and a link to information on how to testify. You have received some written testimony. And I think maybe some verbal testimony today. Staff from the revenue division are in this meeting as well. I believe, and they can respond to technical questions you might have about how the collection works and the distribution systems. With that, you'll turn it over to Jeff Miller from Travel Portland and his guests for a presentation and we'll be happy to answer any technical questions after that. Thank you.

Hardesty: Excuse me. Could I ask a clarifying question before we go in to the presentation?

Lisle: Fine with me. [laughter]

Hardesty: Okay. If it's fine with you, it's fine with me. Let's do it, Karl. My question really has to do with the inclusion of the very small hotels. 50 and under. I need more information about why we -- especially with this economic collapse that the hotel industry is in, I'm curious why we would want to add to the burden of the small hotels by adding an additional 1% surcharge.

Lisle: I think two things briefly. I do think the presentation from Jeff and others will touch on some of that and there will be discussion on that with the testimony as well but I can tell you in 2018, my understanding is the reason that the t.i.d. was expanded to all hotels regardless of size was really a response to the proliferation of Airbnb type of short-term rentals. That has become a huge part of the market. And we are not paying in to investing in the tourism system from which they are benefiting. So I believe that was the impetus from the changes in 2018. If that helps. Then I think we should probably come back to that question after you have heard from the presentation because there is some data and numbers on that in the presentation. If that works.

Hardesty: Thank you. That helps a lot. I appreciate it, all. Thank you.

Jeff Miller: Terrific. Mayor Wheeler, Commissioner Mapps, we are excited to be here. All the city Commissioners, thank you for allowing us to present. I want to thank Karl as the liaison to the office of management and finance. He has been a good partner. I will say that this is a really

March 3, 2021

good public/private partnership. "I" have with me today Mike Daley the board chair and the area g.m. And hotel owners' representative for the Sheraton, Hampton inn and the loft at the Aaron, as well as the canopy in the pearl district. Also joining me is Mr. Martin Martinez who is the general manager and the chief operating officer of Orox leather. Not only in the old town but the new retail store. I would like to share Martin is joining the travel Portland board in the March meeting and he has been a long-time partner and supporter of the work and has testified with me at city council a few years ago. So he is old hat at this. About travel Portland, and I'll skip right to our mission. Our job is economic development through tourism. We generate travel impact that creates that economic impact. Not only for the hotels but for the businesses throughout the city. Our vision is to be a promoter and steward of this evolving city and the progressive values. And what we say often times is you have not been to Portland unless you have met Portlanders. That is really what the secret sauce of the city is. Our win-win funding model. The 2% fee was imposed by the lodging community. It's paid by the guests. It is supported by the lodging community which also provides oversight, the t.i.d. Expenditures. Let me talk about how our board is put together. We have 30 board members. Three are elected officials. 12 hoteliers, two folks from the short-term rental company and then many others. Geographically we represent hotels at Jansen beach, the airport, the east side, downtown, and the Lloyd district. And also short-term rental hosts are sprinkles throughout the city. And Mikasa, the online company is also a member of the t.i.d. Board. From a background standpoint, our total board is very diverse. Black, indigenous, native American, Hispanic, Asian American, south Asian and middle eastern are all communities, are all represented on the board. We think that is very important. And it has caused us to do a better job of promoting everyone throughout the city. The t.i.d. Was approved in 2012. It's powered our ability to create demand and economic impact. I tell you, we definitely needed in this crisis of post-covid and the sunset review, of course, is today. As I said, it's, we've had great shared success. The t.i.d. Boosted visitor spending, which we'll show you throughout the city. New jobs. And what I would like to make sure we do concentrate on is the jobs because that is our immediate need to get people back to work. Every part of the city will show has benefited. It's driven a dramatic increase in the city's general fund and it's supported the city's housing fund. Through the additional \$4 room night fee on short-term rentals. With that, I'll turn it over to Mike.

Mike Daley: Good morning. You know, the t.i.d. Is not only as Jeff mentioned served its intended purpose. It's become a critical driver of success for our industry to drive success and stability within the markets. It's not only brought success to the industry, it's also helped as we

March 3, 2021

talked about bringing local jobs, thousands of jobs to our market. It's helped local shopkeepers, merchants, restaurateurs and it's driven millions and millions of dollars of the added funded to the city's general fund. So, as we talked about this renewal in approaching this, the first thing we did is reached out to the t.i.d. Board. Which as Jeff pointed out, 12 seats. Strategically diverse selected group to make sure we have the balanced representation across the entire city, not just the simple part of downtown but all different type of hotels. Large commissioned hotels to small, you know, drive market hotels as well to make sure we've got a good balanced representation to get their input. The first, we approach the board, the first two questions we ask is did the t.i.d. Hurt anyone or do any harm to anyone's business? The answer is emphatically no. The second question: Did it help, at least the majority of the industry? The answer emphatically is yes. From there, the conversations clearly and quickly became a unanimous vote, I guess, or I guess thought to move forward. Not only with the renewal of the t.i.d. But we needed to explore raising the t.i.d. To try to address the more urgent needs caused by the pandemic. So it's from there we wanted to make sure we reached as many hoteliers as we could and removed to engage conversation with the Portland lodging alliance. It's 35 to 40 hoteliers. Only two or three of which of us are actually on the t.i.d. Board as well. The 35 to 40 leaders represent 75 to 80 hotels all the way across the entire city of all type of hotels as well. Those conversations, not only are they in favor of it, they were the ones that brought to us we should raise it a full 1% point for at least five years to really try to jump-start and resurrect our industry. So from there, they did take a vote. The chairperson George Spiser asked for a vote and it was unanimous. Additionally to that, there were 7-8 other hoteliers across the city that we knew were not part of the boards we reached out to. They as well were unanimously supportive of this as well. Then we hadn't heard any opposition to this in the industry until recently. There is a small group of the folks that are associated with the Asian American hotel owners association. Or aahoa. And they expressed concerns. So we immediately put together a meeting with them as quickly as we could to make sure we really understood what their perspective was because we had not heard it yet. As we got to the root of their concerns, it wasn't really about the t.i.d. Many of them said they understood the benefit of the t.i.d. Some of it had done a lot of good things for the market. They philosophically have aversion to taxes, fees, surcharges in general. So their mission is to curtail it as much as they can. Underneath the concern about just taxes, they did have some misconceptions about the situation as well that we did try to address. They thought travel Portland was a government agency. And the t.i.d. Money could be diverted to other issues to address across the city, which as we now know is obviously not true. Which we let them know

March 3, 2021

that. They also had an assumption that the board was made up of just general managers from the large hotels in the center part of downtown. And never got representation from other micro markets across the other part of the city, which as Jeff and I just talked about is really not the case either. The other assumption was that the downtown central city was the only one that benefited from the t.i.d., that the outer markets really saw no benefit as much as what the downtown had seen. Which we are going to show you the data I like to look at because that cuts right through the assumptions and emotion. That data will tell a different story as we get a little bit later in this slide deck. Again, I think it's the first of what I hope will be many future conversations with this group to ensure that we get this input in taking account their perspective. So from there, with realizing we have well over 80%-plus support in industry for this, we focused on how will we spend the extra 1%? To be efficient and effective, intelligent about how we can get this money to use to try to bring back our industry as quickly as we can. Because you are going to see later in this, the devastation that the pandemic has caused. So what we did is we sent out a survey to over 100 hoteliers in the market to get as much input as we can. Three lanes of spending became clear quickly. One, we must fix the convention center. The convention center needs to be utilized to the full capacity. As we know, right now it's a vaccine center right now. Two, we must focus on the citywide group room nights because that helps every hotelier across the entire city. Three, we must be more assertive, have a larger presence in the sports market. It's not one we have been as present in the president. So we engage in the conversation with Jim Etzel of sports Oregon because they have the reach to enter into that arena and get results soon. The other reason to get in the sports market we all as an industry feel it will be the first market that will immediately return. Because the short-term booking nature of that market. An additional benefit for that as we look at it is it will also help everyone provide greater support for those outside markets that are on the perimeter of the city. Where the sports venues are. Like Jansen beach. We think we can get better utilization of the expo center, that is an underutilized facility. We can get better utilization of the sports fields at Jansen beach. We have other facilities that are dormant like the university on the east side and we think we can do good things with. We are excited about the conversation with Jim Etzel and his team and reinvigorating that part of the market. We are looking forward to what we'll see the t.i.d. Do for us in the next five years. So, with that, I'll pass it to Jeff.

Miller: Terrific. Thank you, Mike. T.i.d., filling the general fund. The next slide, I show how the city lodging tax breaks out. Total of 15% lodging tax. 5% of that goes to the city's general fund. You can see last year it was about \$31 million. It has been higher. 1% goes to the city fund. We have a

March 3, 2021

2% district improvement fee. It was enacted on the short-term rental the \$4 per room night was added for the city's housing fund. You can see it was \$4.6 million. I will stop for a moment and say city council made the decision when they brought in short-term rentals it was only fair if the small micro biznessers were going to be pay -- business owners were only going to be paying the t.i.d., that all hotels with 50 or less would pay it at that time. So at this council thought it was an equity issue to spread to everyone. The excise tax fund supports Portland five, and money to the cultural council and cultural tourism. 1.5% goes to travel Oregon for statewide promotion. We know in Portland we are only as good as what we are surrounded by. We are surrounded by amazing things. The visitor facility trust account, 2.5% lodging tax and 2.5% rental car tax which pays for the visitors, many visitor facilities. Also there are livability buckets in that now, too. That go to the county. So it's a wide ranging fund that creates a lot of different support across the city. And across programs. Mike?

Daley: So now I'll talk more about the win-win aspect of the t.i.d. And show you a series of the far less complicated slides than what jeff just showed you. First right here, what you will see is a contribution to the city's general fund. We'll talk about a pre-t.i.d. And post-t.i.d. Perspective on this. So you can see in 2011, the city got \$17.8 million. At the peak, just, you know, a couple of years ago, it was \$39.1 million. So there you can see the direct impact the t.i.d. Made on the industry and across all aspects of the city. So in the next slide, this is probably the most personal slide for me. We'll talk about jobs. You can see pre-t.i.d., our growth rate was only .9%. Post-t.i.d., the growth rate of the jobs in the city was 3.3%. And I can tell you personally for me, I have had to lay off over 80% of my staff. So we talk about the need being urgent, I really want to get our team back to work. This is a very important thing for the industry. I can tell you that. So as we go to the next slide, we'll talk about earnings for those folks. And what you are going to see again. A dramatic change. Pre-t.i.d., 2.5%. Post-t.i.d., three times that number at 7.5%. And for those of you that may be thinking did minimum wage drive this increase in wages, that arrow that you see on the screen represents 2016 when the minimum wage hike began. So, if you look to the left of that arrow, you can see that trajectory was well underway prior to the 2016 minimum wage lift. These are good-paying jobs with good benefits for all people. It's a great situation for us as an industry. So if we go to the next slide, we are going to see the impacts on the local community. You can see the average spend from tourism prior to that was 3.5% growth a year. Post was 4.7%. As Commissioner Mapps -- councilmember Mapps pointed out, it was \$5.6 billion in 2019. And that is "billion" with a "b." that is a substantial number. It's easy if you look at a number that large to get caught up in the theoretical of it without understanding the tangible

March 3, 2021

nature of what amount of spend means to people. If that reason, we have invited Martin Martinez as we mentioned is with oroxleter to talk about the tourism spend impact on his independent and family-owned business. Martin?

Martin Martinez: Thank you, Mike. Hello, everyone. My name is Martin Martinez. My family and I make leather goods here in Portland. And we own orox leather company. For the minority of my childhood I saw my dad and grandfather work together to make leather goods. And they continue to do that and today I continue the trade alongside my father, my mother and brothers. One of the things we have noticed since we arrived in the world in 2004 are the similarities -- arrived in Portland in 2004 is the similarities between our native city Oaxaca Mexico. Its natural beauty is recognized internationally and it's also one of Mexico's most popular travel destination. Tourism is a great major industry there. I have found Portland shares that unique intersection of culture and natural beauty. And I suspect that this has contributed greatly to the city's growth in recent years. Visitors pick up on what locals long appreciated. Most impactful for me is the warmth of people in Portland. Another similarity to my hometown but one I did not anticipate finding outside of Mexico. Portland opened its arms to our family and appreciating our craft and by supporting us and the adjustment the new lives in this country. My business name which is orox derived from Oregon and wahauga for these are the two places we call home. Throughout the last 15 years, my organization -- many organizations like prosper Portland, the Hispanic metropolitan chamber and also travel Portland have believed in us and their support helped us succeed and grow. Our business comprises 70% of the customers in Portland as many of other businesses experienced the total sales in the last year dropped by 70 to 80%. I'm deeply invested in the city and I hope to see it continue to thrive and grow. Despite the current economic challenges impacting us all, Portland still maintains that unique culture and essence. And I hope for a bright future for the tourism industry. It's a great honor for me to be nominated to board of travel Portland to work collaboratively with stakeholders; such as, yourselves, to bring that future about. Crafts people in the city have unique experiences and perspectives about the issues surrounding tourism. I believe with my combined experience as maker, business owner and immigrant, I'm prepared to represent my peers, their needs and their concerns. Thank you so much for inviting me to be here today. And for all you do to make the city great. Mike?

Daley: Thanks, Martin. So, as you just heard, the major impact of tourism spending has on the local businesses. From travel Portland's perspective, it is important that not only does it go to the central part of downtown but it reaches all part of downtown. And I can tell you someone who

March 3, 2021

oversees three hotels at the airport, certainly being, having a success outside of the downtown central core is important to me as well. Now what we'll see is the data. The data you will see is for the t.i.d. Become a tide that lifted all boats. So this slide here talks about occupancy. You can see if you look at the far left in 2011, prior to the t.i.d., there is a significant inequity in occupancy. And with the t.i.d.'s help, you can see how tightened up the occupancy in the different markets of the city. In fact, the other component that we realize, this is an awe-striking moment for us, the outer markets significantly out-grew the central part of the city. You can see the city center only grew 4% in occupancy in that entire time. The airport grew 9%. Which is more than double. But if you look at the outer markets where the smaller hotels are, they actually grew five times as much on the eastside at 21% and nearly eight times as much in the Jansen beach area as well at 31%. So it's, the assumption that this was a central city success story is certainly not the case as you can see from this data. So the next slide we'll look at is going to show the devastation caused by the pandemic. And you can see it's been devastating. We have lost 85, at some point 90%-plus of the business. It's been devastating. The one silver lining is the smaller hotels on the east side that are more of the drive market hotels will have sustained fairly well. They have only dropped in the upper 50s in occupancy and they have been very well, surviving very well compared to everyone else. You can see the devastation in the downtown. Down in the 20s in occupancy. This is why the urgent need to get this added 1%. And to lock in this t.i.d. As a critical tool for our success and our industry. So as we go to the next slide, we will look at the average daily rate. What you see here is again, the growth difference. Not only did the outer markets wildly outgrow central city from an occupancy perspective, they actually still continue to outgrow them in an average rate. You can see the airport outgrew at 48% to the 40. The two outer markets outgrew it 43% compared to the 40. So you can see as we talk about the t.i.d. As a tide that lifts all boats. You can see this t.i.d. Helped the entire city. The other thing we learned about the t.i.d. In this process, really about the market in Portland is no different than any other large central market in the country. If the central part of downtown isn't successful, as you saw in 2011, when it wasn't that successful, those outer markets suffered greatly. What we rely on -- and I can speak firsthand to having a hotel at the airport we rely on the center city to be successful and create a compression that pushes out to the outer markets. That is how the outer markets are successful. Again, I have a firsthand experience with that. If we can go to the next slide, we'll continue the demonstration of the devastation of the pandemic. Not only did we get substantially less amount of the rooms in the pandemic, but they came at a significantly discounted price on top of that. So it's doubled down the devastation as we experience as an

March 3, 2021

industry. Again, why the urgent need. And one component I fail to mention, is the box the you see at the bottom of the screen that says, "hotel construction boom." the t.i.d. Was so successful for us, it's a great tool. We added thousands of hotel rooms as you have seen the many buildings that have gone up over the four year period. Yet we still were able to be successful hotel market. Despite adding all of those hotels which created thousands and thousands of added jobs to the city. So with that, I'll go ahead and pass it on to Jeff to talk about the short-term rentals.

Miller: This has been a success story. If you look on the next slide, the available listings grew dramatically. You can see a drop off. Obviously with covid, many people were not renting out the room in their home or their accessory dwelling unit. On the next slide, you can see that the occupancy remained relatively high and stable with small dips both for entire place or hotel comparable. You can see what the hotel occupancy was at that time. On the next slide, the average daily rate for those same short-term rentals stayed relatively stable. This is a bright spot for us as we can bring that business back. We know that the revenue generated for them is much-needed. But also the lodging tax as well as the t.i.d. I would say that it is working and let's keep it going. And with that, the need has never been more urgent. You know, we know the covid impacts, we know the brand damage. We are working very closely with several of our partners at prosper, at Portland business alliance. We are working through the Mayor's office with Sam Adams and others to talk about reputation, recovery, and recovery of our downtown and getting back. The convention center, we need those rooms booked. 2022 and 2023 still look very good. We hope we hold on to all of those bookings. But we know there has been revenue loss to the city and there have been tons of shuttered businesses. So our job and we know there is creativity in Portland and the businesses can come back. But we need some help in kick-starting this. That is why we are here today. Mike?

Daley: So, as you talked about earlier. And I thought it was important to demonstrate the pre-t.i.d. Effectiveness of the industry to the post-t.i.d. So you can really get an understanding of how critical of the tool is to the industry success. I think the data really shows that it lifted the entire city. It created thousands of jobs across the entire city. It created additional millions of dollars of economic expense to the local merchants. To the restaurateurs and to the city fund. It's been a tremendous win-win proposition. I can tell you the need is never, as jeff said, it's never been more urgent. I have been myself in this market since 1994. I was a general manager in the days of 9/11 and the 2008 crash. I can tell you, this particular devastation is worse than both of those two issues together economically for us as an industry. It's critical that we do the 1% for at least five years to try to bring back and spur recovery in the industry. With all that said, I'm excited

March 3, 2021

about what the t.i.d. Can do and I'm excited about what the 1% increase is going to avail to us try to recover our industry. So with that, we'll open it up to questions.

Wheeler: Very good. Colleagues any questions? Meanwhile, I want to say thank you. That was a great presentation. Martin, I had a privilege of touring your business at the old town Chinatown location. I was fascinated by it. Thank you for being here.

Martinez: Thank you.

Wheeler: Commissioner Hardesty?

Hardesty: Thank you, Mayor. Thank you, Jeff, everyone for that informative presentation. I just want to say I looked at one of the slides that you had that said you were filling a general fund. I think I would change that just a bit. You know, it's a little of an overstatement. So I want to really appreciate the industry, itself. I want to understand what the -- I don't think there is going to be big conventions filling up hotels or convention centers or anything else anytime soon. Are you getting information that is different from the information I'm getting from the economic reality that we are currently in?

Miller: I actually did get some very, very good news this week. James Jesse, our chief sales officer, reported there are two conventions. The American geological society is one of those. It's a very large citywide convention. They decided with vaccine rollouts and with Oregon's low numbers that they want to not try to not cancel in October of this year. They believe with the vaccines coming out, they can have a hybrid event whereby they can at least have their convention. What we have been seeing is we thought anyone would cancel through the end of 2021. That may not happen. We are incredibly excited about that. I have to say Oregon has done a great job of keeping the case counts lower than many states.

Hardesty: It's true but we also aren't at herd immunity yet. I hope you are right. I'm normally a very optimistic person but I know how slow the vaccine is rolling out. So, I hope you are right about that. So, good. So that was one question. The other question is around the types of -- you say that the hotels are booked at about 65% of their normal rates now? I think that is what I saw in one of the charts.

Miller: It depends on the part of town. But the total revenue for hotels in the city is down 70-75%. Total revenue.

Hardesty: Yes. I thought that the room stays looked high to me based on the fact that I know that most are empty. I was just kind of curious as to how we thought we were going to get back to those numbers this year. Right? I understand we have to market for next year. And moving forward. And be strategic around that. All the data that I see right now says that people meeting

March 3, 2021

in the big gatherings are just not going to happen anytime soon. I mean, we are everybody having a hard time doing that with sports. So I appreciate the answers to the question about the small hotels. I wonder if there is a difference between small hotels and airbnbs. Because airbnbs in my mind are not small hotels. But small hotels with 50 or less rooms are. I'll leave it at that. I don't know if you have an answer to that, Jeff.

Miller: You saw on the slide that Mike presented the Eastside hotel which are typically the limited service smaller hotels have done less badly as downtown and the other part of the city. What we know is that leisure travel will come back first. Thanks to a grant from the city's spectator fund, which this council approved of \$150,000. Thank you. We will launch an online travel agency campaign in the first of April with the Expedia and Priceline. And we think it might be a week or two early, it will test the market on our messaging and give us some opportunities. Travel Portland will come back in with reserves after that to create what will be about a \$750,000 campaign through July. And then we are looking forward so that seed money of \$150,000 will get us started. We know we want to be a couple of weeks early rather than be a couple of weeks late. Leisure, mostly the smaller hotels, is going to come back first before meetings.

Wheeler: Commissioner Ryan?

Ryan: Yes. Thank you, Mayor Wheeler. Thank you, Jeff, Carl, Mike, Martin. I really appreciated your presentation. Martin, I look forward to visiting your store. And I love the name. Thanks for explaining why the name is such. It was a great story. Your presentation was really thorough. I got a lot out of it. So I'm going to try not to tell you what I got out of it because that would be boring but I do have some questions that I wouldn't want to leave on the table. That are this: It's something I wondered about. I want to see if you wondered about this as well and if you considered it. Portland is very seasonal in terms of people desiring to visit. Everyone knows that our relatives and friends outside of Portland love to visit between May and September. Correct? And so I've always wondered how much money we are leaving on the table every summer because we don't have a restaurant, sales tax. And so my question is this. Have you ever considered the fee increases to be seasonal in summer they go up? I'm curious. Does that conversation come up at your board?

Miller: It hasn't come up. And a lot of that has to do with the logistics of the revenue department collecting. And having consistency for the consumer to know what the taxes will be at any one time. This fee can't be implemented until July because the revenue bureau needs that much time to get it implemented and make sure that each of the platforms be it Hilton or Expedia can load it in the system so a consumer buying now for July to stay knows what the fees

March 3, 2021

will be. It's not as flexible as it might seem.

Ryan: Okay. That was helpful. So the system, itself, makes it difficult to do such nimble things?

Miller: Yes.

Ryan: I heard you. But I had to ask that question so I'm glad you answered it. The other one was when I look at the occupancy rate. Obviously, the cliff you all experience and Mike you were crisp about the job loss specifically at your three hotels. It's helpful for us to just hear the numbers. But I noticed in 2018, things were -- I think they leveled off. So that is pre-pandemic. I wanted to hear just why you think in 2018 it looks as though we hit a peak and things leveled off and everyone started to go down a bit -- and even started to go down a bit.

Daley: I can speak to that. I apologize I didn't put more of the emphasis on the hotel construction boom box in there. It with was the leveling off was really about the addition of the thousands and thousands of additional supply. So the actual overall revenue for the city and the hotel revenue continue to escalate but the city occupancy began to flatline as it absorbed the supply.

Ryan: Okay. Supply/demand are the main reason so the other factors are not relevant to mention at this time. I have one more. Only one more, my fellow colleagues. The issue for me is understanding the 1%. So this is another have you considered. Do you have this conversation. Since my experience as a consumer is the fees get passed on to the consumer. So your lodging taxes is higher than you thought it would be in the said destination. I wonder when you look at the 1% increase, are there any of the multiple ones you mentioned which I can't remember that. They total 15%. Has there been a discussion when we increase one we lower another one? Curious. Carl had a great reaction already. Yeah.

Miller: That has not been looked at. What we look at is the aggregate, how do we stack up against other cities, other competitor cities. This puts us frankly in the middle of the pack still with the 16%. So it is more how to, you know, a meeting planner will look at a city's overall tax rate. We don't have sales tax so on the food and beverage they pay zero. So that is a plus for us. Being middle of the pack on 16% does not hurt our ability to attract business.

Ryan: I was contemplating to ask how we measure up with the other markets so you are very good to weave that in. Mike, you want to say something?

Daley: Yeah. I apologize for cutting in. I want to add on one thing. The other part of it that is important to understand about the lodging taxes it doesn't, because every hotel in city has same tax rate, the people choose destination. If they are going to Portland, they go to Portland. If they are going to go to Denver, they go to Denver. It has no effect of what hotel they stay on. The city

March 3, 2021

tax rate is the same across all venues. So it affects everyone equally.

Ryan: Thank you, mike. That was helpful. When you do that comparison you do factor in we don't have a sales tax in that equation?

Miller: Yes.

Ryan: That was helpful as well. Great presentation. Thank you.

Wheeler: Very good. Thank you, all. Keelan, do we have public testimony for either item 120 or 121?

Clerk: We do have one person signed up. Buggsi Patel.

Wheeler: Welcome. 3 minutes, please.

Buggsi Patel: Thank you. Can you hear me?

Wheeler: Loud and clear.

Patel: All right. Thank you. Thank you, Mayor Wheeler, thank you Commissioners. Jeff and mike, great presentation. I'm Buggsi Patel and owner and up rater of 23 hotels across the pacific northwest, Oregon, Washington and Idaho. We have 11 in the metro and three at the Portland airport. The concern and I do represent the Asian American hotel owners association. And so, the concerns are, look we can beg to disagree on some of the items that have been said and presented. We believe there was no formal process of getting input from all to hoteliers across the state. That is number one. Then the representation as jeff pointed out, there is representation from the minority community on the travel Portland board. If you look at the representation from the hotel owners that are represented, we believe there is not enough minority hotel ownership in that segment. Also, we believe that the t.i.d. Board should be separate from, you know, from the board members that are on the board of travel Portland. And, you know, that is also a concern of ours. Next is that we believe that there needs to be distribution of the funds across where they are collected. And you know, it really does benefit the core downtown before anyone else. I have hotels at the airport. And you know, it does benefit us some but not as much as what happens downtown. You clarified, Commissioner Ryan, about the tax. Remember, we don't have state tax. So therefore, technically, you know, it's artificial that we are collecting the 16% in totality. With the new hotel supply that will come in the marketplace and the kind of numbers that jeff miller projected, you know, there should be an increase in the total tax collected including the t.i.d. So, you know, bottom line is that we want to be sure that we support, we support the 2%. But we don't support the 1% increase because we don't feel that there really is a need for it. There is a lot of uncertainty. Commissioner Hardesty pointed out to the smaller operators. We have a lot of people from, you know, our

March 3, 2021

membership that are represented in that segment. And any tax, believe it or not, does hurt operators. Don't forget we have cap tax to pay now. That also kind of eats in to everything. So, bottom line, I think that committing to transparency at a time when the industry has suffered an historic blow. T.i.d.s are self-assessments paid by lodging owners for their own well-being. Let's work together make sure everyone interested knows how the money is working for those investing. Embracing perspectives from all cultures and backgrounds. We have lodging establishments of all shapes and sizes. T.i.d.s should ride to the tide for all and boost Portland's recovery. Making sure the authority continues to live with those paying the self-assessment. If the investments are not providing the return, the lodging investor should be able to work together to change the course. Or if needed, discontinue a self-imposed assessment. And, you know, we believe that --

Wheeler: Mr. Patel, I have to ask you to wrap it up pretty quickly. You are a minute and a half over.

Patel: Okay. The last couple of points. We believe there is not enough transparency on how this funding is spent there. Needs to be checks and balances on that. And look, we all need to be dealing, it needs to be all in good faith. Thank you for hearing me out.

Wheeler: Thank you, sir. I appreciate it. Colleagues, any further questions before I call the roll? Keelan, please call the roll on item number 120, the resolution.

Clerk: Rubio?

Rubio: I just want to thank you, Jeff, for your leadership over the years at travel Portland and also for your shared commitment to lifting up our city. And thank you, mike, and the travel Portland board for helping us maximize the use of the t.i.d. Funds. And also thanks to karl for your work behind the scenes as well. Martin, the love and the care that your family has put in the leather goods that you make is obvious and we are honored that you and your family from v brought your tradition to Portland. We all the better for it. I'm also excited and glad that martin is joining the board. Also eager to see, like the person who just testified, more small, small business, immigrant businesses and bipoc-owned businesses participating in the capacities like these that help drive our economy. And are there at the table, developing creating the tragedies particularly in these times. We know the sector has been especially hard hit. I'm pretty confident that Portland will remain a destination that people want to visit. And we'll continue to welcome them. I vote aye.

Clerk: Ryan?

Ryan: Yes. Thank you. I really want to again thank you for a great presentation. I appreciate the

March 3, 2021

dialogue you have had. You have heard a lot from me already. On this, 120, I vote yes. Aye.

Clerk: Hardesty?

Hardesty: Let me say that I am very appreciative of the presentation. I thought it was very thorough. I am very concerned that we are going to make life a bit harder for a small operators of the 50 hotel rooms or less. I would like -- if people could turn out their mic if they're not talking, that will prevent the background noise. Thank you. I would like us to not wait five years to find out if the tax is successful. I would like us to have a report back next year to find out whether or not this is really having the impact you anticipated. With the ability to change it if it's not working. I would also encourage you to track what the impact is on the small hotels. Because we have a lot of big new hotels all around town. They will be able to absorb it. If they do get people in their rooms. I'm not sure they are going to be able to anytime soon. So I think this is a moving target. And I don't want to us do what we have always done and somehow expect we'll have different results coming out of it. That is my ask. I'm happy to support this today but I will only support it if I know we will be in constant communication and have the ability to adjust as the market requires. And so on that assumption, I will vote yes.

Clerk: Mapps?

Mapps: I want to congratulate the panel today for a really brilliant presentation. Thank you, jeff. Thank you, mike. Thank you, martin, for joining us today and sharing these compelling stories about the successes that have been brought by t.i.d. And the opportunities that we can realize through the implementation of the surcharge. I'm completely in support of continuing the existing fee and will support the resolution. While we won't vote on the ordinance until next week I would like to make a few comments on that, too. The covid pandemic has brought devastating losses on practically everyone. But the sheer number of jobs lost in tourism industry is staggering. We are clearly in a deep, deep hole and climbing out is going to take partnerships. Decisive action and determined persistence. Portland is blessed with many attributes to make it a desirable travel destination. We have a great food scene. We have quirky businesses and we have compelling cultural offerings. But our industry has also been devastated by the pandemic. And how well we do in bringing back travelers to Portland will impact how well our community rebounds. So I'm just very pleased and very impressed by the tourism industry and the leaders who came together to find a way to help us assure success. 1% surcharge on the t.i.d. Fee seems like a smart way to help travel Portland get the right message out to the right people. And at right time. I think our message is that Portland is open and ready for business. I'm also hopeful that as we roll out the vaccines, visitors will start to return to the city. I look forward, and like

March 3, 2021

Commissioner Hardesty I look forward to hearing a report in the next year about our successes. With that, I would like to vote aye on the resolution.

Clerk: Wheeler?

Wheeler: I also want to thank everybody who joined us today. The value of jobs and visitor spending from the implementation of the t.i.d. Is in my opinion both clear and irrefutable. Without a pandemic, ending the t.i.d. Fee would seem very shortsighted. With a pandemic, I believe it would be irresponsible. We all know that the pandemic's impact to the Portland economy have been both immense and entirely uneven. Particularly hard hit have been the communities of color, immigrants and the folks who have just been entering the job market. And many of the people will not have a job or one to go back to if Portland isn't revived and soon. We know from their many years of success that travel Portland knows how to encourage people to come to Portland and spend their money and support our local economy. To continue that track record, it's clear to me that a shot in the arm is needed. Not just literal vaccinations but also a boost in the funds automobile to both advertise and promote our wonderful city. We saw from the data, that that definitely has an impact. As Commissioner Mapps said, it's imperative that the tourism industry is once again stepping up to find ways to help everyone benefit from the recovery and assure that it's as quick and strong in Portland as we can make it. I'm happy to support that creativity. I vote aye. Resolution adopted. With regard to 121, that is a nonemergency ordinance and it moves to second reading. Thank you to everybody who participated today. We'll move on to item no. 122, time certain 10:05. Which we are about 35-40 minutes late for.

Clerk: Proclaim March 2021 to be women's history month.

Wheeler: Colleagues, I'm honored to be introducing this year's women's history month proclamation which was brought forth by the city's women's empowerment infinity group. For time and memorial, women have moved our world forward, leading advancements in technology, science, medicine, government, law, art, and in many, many other areas. Women have risen above the barriers that have been repeatedly placed before them. Often doing more work than men. But receiving far less recognition and compensation. These barriers are everyone greater for women of color, women who are LGBTQ-plus and women with disabilities. It's clear that our country has made great strides in recognizing the leadership, expertise and strength of women. A mere century ago, the 19th amendment granted women the right to vote in the United States. Though it wasn't until 1965 the Voting Rights Act that women of all races were guaranteed the right to vote. Just decades later, in 2020, millions of women cast their

March 3, 2021

ballots and played a pivotal role in electing vice president Kamala Harris to the white house, making her the most powerful woman in our country's history. But we have to acknowledge and be honest. We still have a long way to go before our outcomes are not determined by our gender, race, and sexuality. Here are some sober facts from the women's foundation of Oregon. For every dollar a man in Oregon earns, an Oregon woman earns between 53 and 83 cents, depending on her race and ethnicity. That pay gap is projected to widen during the pandemic. As many women have been forced out of the workplace to care for their children of the dependents. About 1 million Oregon women and girls over half the state's female population have experienced some form of sexual or domestic violence. And women and girls of color in Oregon experience poverty rates that are twice as high as those of white women and girls here. Instead of losing hope, we must vow to work together toward a better future. As well as honor and uplift the stories of women who broke barriers and paved way for future generations. That includes Beatrice Mouro Kennedy, newspaper publisher who in the 1920s became the first black woman to practice law in state of Oregon. That includes Esther Pohl, one of the first women to practice medicine in Oregon who in 1907 became the first female health officer of a major US City. And that includes Gladys Mccoy, born during the great depression in the Jim crow south who in 1970 became the first person of color ever elected to public office in the state of Oregon. These women and many countless others paved the way for real progress. They overcame unspeakable challenges to make the world a much better place. This women's history month, let's recognize and celebrate the women of the past and the present who shattered barriers for future generations. And let's honor their legacy by continuing the work of making Portland and Oregon a more equitable place for everyone. Thank you. Next i'd like to invite my colleagues to make my remarks they want to share at that point and then you'll read the proclamation on behalf of the city council. Commissioner Mapps?

Mapps: Thank you, Mr. Mayor. I appreciate this opportunity to recognize women's history month. This is a special month for me and an opportunity to honor the legacy of women who made lasting impact on our nation, on our state and on our city. I would like to recognize the Portland women who had profound influence to my life. I owe a lot to Harriet Redman. A black Portlander and suffragette. She helped win the right for women in Oregon to vote. Women in Oregon gained the right to vote in the local elections in 1912. Eight years before all American women gained the right to vote in national elections. Harriet was born in 1862 in St. Louis, Missouri. By the 1880s, she settled in Portland. Her family attended mount olive Baptist church, which is still going strong. Ms. Redman held suffragette meetings and lectures in the church. Her

March 3, 2021

organize guising efforts were key to pass ballot measure that ultimately gave women the right to vote in Oregon. Ms. Harriet died in 1952 at the age of 90. She is buried in pioneer cemetery and I visit her grave often because it's important for me to remember the people and honor those who got me where I am today. I would also like to recognize and honor Gladys McCoy, who the Mayor mentioned. Gladys McCoy was the first African American woman to be elected to office in Oregon. 1970. She was elected to the school board. I got to know chair McCoy in the early 1990s when she served as the chair of Multnomah county. She literally gave me my first job out of college. And 30 years later, every day of my life I think about the door of the opportunity that chair McCoy opened for me. I would not be here today if it weren't for Gladys McCoy and part of my mission on council is to honor her legacy. I also want to recognize and celebrate governor Barbara Roberts. Who in 1991, became the first woman to serve as governor of Oregon. I worked a couple of legislative sessions when the governor was in office. She had a profound impact on me and I try to model her common sense and human decency. Anytime I am confronted with a tough decision I ask myself what would governor Roberts do? I also want to recognize my colleague and friend Jo Ann Hardesty. She is the first black woman to serve on the Portland city council. She is truly a Portland trail blazer. And last, but certainly not least I would like to recognize my friend and colleague Carmen Rubio, who is the first Latina to serve on the Portland city council. I would like to take the moment to share a story with Commissioner Rubio. Literally earlier in week I was meeting with the constituent, a young Latino woman. In the conversation she described Commissioner Rubio as her representative on council. I thought about that a lot. I think what she meant was that when she saw Commissioner Rubio, she saw herself. That gave her the courage to engage with city politics. So Commissioner Rubio, by her leadership, and presence on council is literally growing democracy. So Commissioner Rubio, it's an honor to serve with you and thank you so much for everything you have given to the city. I want to thank all the women who have helped make Portland the place it is. I want to thank every woman who has helped make me the man I am. Thank you, Mr. Mayor.

Wheeler: Thank you, Commissioner. All right. With that, I will -- Commissioner Ryan?

Ryan: Yeah, thank you, Mayor Wheeler. Thank you Commissioner Mapps. That was beautiful. You know, what you want in life by what you do. What I have experienced is almost all of my supervisors have been women. So I got pretty comfortable early on that female leaders are the norm. Most of my key hires when I had influence over making those decisions have been women. And most of the board leadership that I've been able to learn from have been strong women. So, my whole life has been shaped by knowing that it is a norm. I think today I want to

March 3, 2021

briefly acknowledge in this proclamation a few people that are most personal to me. My little grandma. My mom's mom. She was my best friend until she died when I was 11. I got the best of her. I'm the youngest of eight. I guess she had a pretty wild life before I was born. So, after seven husbands and getting sober, I got the best of her. She taught me how to drive before anyone should learn how to drive. I was 8 or 9 behind the steering wheel. She taught me how to swim in the river. She is big part of me. Then my mom who had 14 guardians until she was 13 because her mom wasn't capable of raising her. And then her dad took her in at the age of 13. My mom wanted a big family full of love. She accomplished that. She died when I was 33. Shortly after, that I went to the Ainsworth united church of Christ and came back home after listening to reverend Cecil and reverend Lynn talk about the wonderful things going on there. I sat next to a woman named Editt Anderson and I found out quickly she lost her son -- Editt Anderson and she lost her son, one of the first African American police officers in Boston and her grandson and we became close friends. I was a care giver until she passed away just a few years ago. So my point is that I miss those angels. They guide me daily. And I love serving with women. I just am grateful that we take a breath and do these necessary proclamations. I'm grateful to be here today to voice out those words. Of course, I had nothing in writing. I just winged it and I told you my story. All right. Thanks.

Wheeler: Thanks, Commissioner Ryan. Commissioner Rubio? Sorry, Commissioner Hardesty and then Commissioner Rubio.

Hardesty: I just want to quickly say that every month is women's history month because it's absolutely true. I want to really appreciate Commissioner Mapps for those very kind words that he shared. Let me just say that as women, we can see progress being made. But we also know how quickly that progress can be destroyed. If we have learned anything under 45's administration, no rights are permanently won. We don't permanently win racial justice wins. We don't permanently win women's rights wins and everything depends on who is sitting in the seats of power. And whether those in positions of power actually are engaging women. And in a way that is absolutely critical. I can tell you as someone who ran for office, when I first ran for office, I had certified smart people telling me how I should be. How I should present myself. Basically, they wanted me to present myself as if I was a white male. No matter what I do, I will never ever, ever be able to present myself as if I'm a white male. That is not my lived experience nor is it one that I pretend I know what the lived experience is. But we have come a long way because trainings for office don't start that way anymore. Thank goodness. I have to say that it really, it's a stark reminder. The last four years are a stark reminder that if we aren't intentional

March 3, 2021

about showing we are protecting the rights of women and bipoc community members, the next law, the next election, everything continues to be very fragile. So we have a role. I take my role very seriously and making sure that I am uplifting the leadership and the values that women bring in to the leadership positions. And just like Commissioner Rubio, I love it when little black girls come in to city hall and they see me and their eyes get that big. Because I want them to know that this is their seat. They have every right to this seat. Just like anybody else in the city of Portland. So, thank you.

Wheeler: Thank you, Commissioner Hardesty. Commissioner Rubio?

Rubio: Thank you, Mayor. Again, I want to also say thank you very much to Commissioner Mapps for the kind words that you shared today. It's such an honor. I think about that every day. It's an honor to be up here on behalf of the community. I also want to thank the women's empowerment infinity group for all of their work each and every day and their role to bring forward this important proclamation. We have definitely made incredible strides since we first celebrated this month decades ago, I think in the late '80s. At the same time, the fight continues to close gender wage gap and covid has obviously exacerbated things more for women; particularly, vulnerable women and women of color. So, this month, I will be honoring trail blazing women. But also women who everyday in our community lead with their strength, their resiliency and their values to make their community better. From the community leaders to working mothers, to young women and girls who have a really beautiful vision for Portland. And what Portland can be. Also, groups like the women's empower. Group. This personally for me includes women like my mother maria and my grandmother who were my personal mentors and my aunties and the other mentors too, many to name. But I want to acknowledge my colleague Commissioner Hardesty as the only other woman on this council has shown me tremendous support navigating the new role in governance. As women of color on this council. And also showing one integrity every day. And also the amazing and talented and the mission-driven women on my team who show up every morning to bring their full sell-s to this work. I'm sorry, I have to call them out. Cynthia, misa, and mona. I'm so proud to work alongside each one of you. So I celebrate all the amazing women and the women of Portland and the state today. Thank you for the resolution.

Wheeler: Thank you, Commissioner Rubio. Thank you, colleagues. I'll read the proclamation written by Anne Croma from the women empowerment infinity groups. They work to advance equity in the city of Portland to lead with the elimination of disparities for those who identify as women in city cease workforce. So thank you to all of you. Whereas, women's history month

March 3, 2021

began as a local celebration of "women's history week" organized by the Santa Rosa, California school district in march 1978 to correspond with the international women's day; and whereas, in February 1980, president jimmy carter issued the first presidential proclamation declaring the week of march 8, 1980, as national women's history week and the united states has formally recognized march as national women's history month since 1987; and whereas, the international women's day will be celebrated in many countries around the world on march 8, 2021, as a day when women are recognized for their achievements without regard to divisions, whether national, ethnic, linguistic, cultural, economic, or political; and whereas, we pause to reflect on the accomplishments of women in this great city of Portland and around the world. And we take this time in march to acknowledge female historical leaders; such as, Lola Greene Baldwin and Esther Pohl. Portland Mayor harry lane administered the police oath to 48-year-old Lola Greene Baldwin on April 1, 1908, making her the first woman hired under US Civil service rules to become a full-time paid law enforcement officer. Esther Pohl, one of the first women to practice medicine in Oregon, was known for riding her bicycle to make her house calls in Portland. On July 11, 1907, she was unanimously elected health Commissioner, becoming the first woman health officer of a major US City. She worked combating smallpox, whooping cough, and tuberculosis before using the latest scientific knowledge to focus Portland's response to bubonic plague on the rats and their fleas; and whereas, the world bank's recent "women, business and the law report" shows only six countries give women equal legal work rights as men. In 2018, full-time male employees in Oregon made 1.26 times more pay than female employees; and whereas, Portland has determined that 14.9% of the population live below the poverty line, a number that is higher than the national average of 13.1%, with the largest demographic being females 25-34; and whereas, women are 47% more likely to suffer severe injuries in car crashes because safety features are designed for men and disasters; such as, floods, storms and draught kill more women than men due to the unequal division of power and resources; and whereas, 50.6% of Portland residents are women but only 36.9% of the city employees are. The women's empowerment affinity group's mission to empower and inspire all women within the city of Portland workforce in a supportive, nonjudgmental way; and whereas, we strive to ensure a world where we study and salute women and their contributions year-round and we can hope that in Portland little girls with dreams can grow up to become women with visions. Now, therefore, I ted Wheeler, Mayor of the city of Portland, Oregon, the "city of roses," do hereby proclaim march 2021 to be women's history month in Orlando and encourage all residents to observe this day. -- observe this month. Thank you. Colleagues, thank you to the affinity group.

March 3, 2021

Well done. Keelan, next item is item number 123. Time certain.

Clerk: Appeal by Walter Wyler representing the downtown neighborhood association against the design commission's decision to approve a ground level remodel of a 23-story mixed use building at 1000 southwest Broadway, which is in the downtown sub district of the central city plan district. Lu 20-176578 dz.

Wheeler: On February 10, council made a tentative decision to deny the appeal and today we are back to make a final decision and adopt findings. Do I have a motion to deny appeal and uphold the decision of the design commission and adopt the findings?

Hardesty: So moved.

Wheeler: Commissioner Hardesty moves.

Ryan: Second.

Wheeler: Commissioner Ryan seconds. We have a motion and a second. Please call the roll.

Clerk: Rubio?

Rubio: Aye.

Clerk: Ryan?

Ryan: Aye.

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Wheeler? Aye.

Wheeler: The council has made a 5-0 decision to deny the appeal. And we have upheld the decision of the design review commission and we have adopted the findings. Thank you, everyone. Item number 124, please.

Clerk: Assess benefited property for street and mast arm traffic signal improvements from northwest 9th avenue to north of northwest 19th avenue in the northwest front avenue -- Naito Parkway local improvement district.

Wheeler: Commissioner Hardesty?

Hardesty: Thank you, Mayor. I am going to turn this over to PBOT because I do not have introductory remarks for this item. Who is from PBOT here to present this item?

Andrew Aebi: Good morning, Commissioner Hardesty. This is Andrew Aebi. And Gabe Graff is joining me. We know that council is running behind schedule. We'll make it very quick. Keelan, if we could switch to the presentation. Thank you. We can just go ahead and move to slide number

March 3, 2021

two. And so, there is a long history here on front avenue and Naito Parkway. Among the many businesses that we help with the local improvement district with the dockside restaurant, which became an iconic Portland institution during an infamous incident that occurred in the 1994 Olympics. We have the owners of the dock side and they will tell us more about that. Since that time much has changed since then with the street renaming and the street projects but the dock side is still there. Next slide. This I.i.d. Enabled us to leverage each dollar of general fund with the 72 cents in developer dollars. So we were able to almost double the general fund allocation for pavement preservation which we used on front avenue and Naito Parkway. We simply could not have gotten all of this accomplished without the public-private partnership. We did value engineering and we got it done for \$3.2 million. Opposed to an order of magnitude of \$18 million. If we had to construct the street assuming the underlying cost of \$5 per foot, which is the going rate these days. Next slide. Here the roller coaster pavement that existed before the I.i.d. Was formed. Next slide. The trench cut and the pavement before the I.i.d. Was formed. These kind of trench cuts in the pave. Don't hold up well over time. Particularly, with the buses and the heavy vehicles using the street. The lack of the positive drainage on the street before the I.i.d. Was formed. This -- [loss of audio]

Hardesty: Uh-oh. It looks like Andrew froze.

Wheeler: Andrew, can you turn off your video? It will help us hear you. If you can hear me, turn off your video. I'm afraid he does not have a good connection. Is there somebody from PBOT to take up where he left off until we get --

Gabe Graff: I'll be happy to do that Mayor.

Wheeler: Thank you.

Graff: Go to the next slide. Yeah, so prior to the I.i.d. We also didn't have bike facilities on Naito Parkway. Next slide. Now you can see the new pavement, the fresh striping and the bicycle facilities here in the picture. Next slide. We also did new improvements for transit users on the street. So this is one of our new platforms to allow them to stop in-lane. You can also see there the concrete pad where the bus will stop which will allow the roadway surface to hold up to the heavy vehicles over time. Next slide. Here is the dockside. Expanded sidewalk. I think the owners will speak about the, how the outdoor seating has been helpful in the pandemic. Next slide. Oh, yeah, I think we have a video of the new signal getting turned on. I don't know if we want to show that. And maybe we can just keep moving.

Hardesty: Yeah, I'd say save that for another time.

Graff: That works for me.

March 3, 2021

Hardesty: I appreciate you stepping in. And continuing the presentation.

Graff: Of course. Maybe the last thing I'll share with the colleagues while this is going on is the reason I was here to talk about the other work happening on Naito Parkway in conjunction and how the project worked together. We have a project if you have been downtown you will see south of the Hawthorne bridge on Naito Parkway. We have a section of the roadway under construction. We'll have durable pavements, accessible crosswalks and this should be done by September of year. In the end of the month we'll be in construction with what we call better Naito forever to make the improvements along the waterfront park for Naito. To make the two-way bikeway permanent and separated by concrete to add accessible sidewalk, and upgrade the traffic signals to improve the traffic flow. And we should have that complete in ten months after the start of construction. I see Andrew is back. So Andrew, I was just filling in for you there while your connection cut out. We got through to the traffic signal video. If there is anything else you'd like to add. Please do so.

Aebi: I will keep it brief. I jumped back on my phone and I will leave the remarks where they were. Hopefully you got to see the other slides of the presentation. I think from here we can just go ahead and switch it over to the invited testimony. We did have -- [loss of audio]

Hardesty: There it goes again. Andrew, I'm so sorry that you are having that experience. Gabriel, can you pick up from where Andrew left off.

Graff: Sure. Res, are you with us today? Hmm. I don't know that I see res on the participant list so maybe he had to jump off due to the schedule.

Hardesty: Do we have someone else two was invited?

Graff: Yeah. Can we have the owners of the dock side speak?

Terry Peterson: Speaking!

Hardesty: That is Terry Peterson. Welcome.

Kathy Peterson: And Kathy. Kathy Peterson, owner of the dockside. Hello.

Wheeler: Good to see you.

K. Peterson: Thank you for having us.

Wheeler: I'm hungry just seeing you.

K. Peterson: As you should be! Thank you. So we just want to start off real quick and I'll tell the quick version of the story as a levity here. So, back in 1994, we went down to do some work at the restaurant. And took garbage to the dumpster. And found it full of someone else's trash. I have done it before and I have done it since. Kind of go through the garbage to find, see if I can find a name or an address, someone to return the garbage to. As we know, it's theft of services

March 3, 2021

which I'm not fond of. Going through this particular trash, I found that it belonged to Tanya Harding and found evidence with Jeff Galuli name and a commuter ticket out of Detroit where we knew the Nancy Kerrigan whacking had taken place. With the evidence I found, Tonya said she was not part of any of it and didn't know anything about it. But I found something with her handwriting on it and found her to be part of the whacking incident. So anyway, that was our claim to fame. And we fast forward now 27 years later because back then, front avenue, you could literally lay down in the middle of the street and not be concerned about being hit by a car. There wasn't much traffic. The traffic that it was, was mostly big trucks, trains, industrial type of traffic. So, again, 27 years forward, we are so grateful and thankful for the changes that have taken place and have allowed to us do business in today's environment. So, Terry wanted to speak about the new sidewalks.

T. Peterson: Yeah. With reengineering of the selection of 17th and front avenue, we went from an unsafe dead-end sidewalk to the railroad tracks, with the table seating, public table with four seats to the 16 seats with covid-compliant seating in this tough time. With that, without the new sidewalks we would not be open to have outside seating in the pandemic. With the feedback from the customers after opening, it's been nothing but positive down there. We have provided the community has been absolutely wonderful. They have come in and we continually thank them for the patronage and they continue to thank us for being open. With that said, being open was that of the PBOT redesigning the sidewalks. So thank you, PBOT. Take it away.

Wheeler: I just want to jump in here for a moment. And just say how much I appreciate both of your leadership in the community and the hard work you have put in to the dockside and the improvements you have made. It's been fantastic and extremely well received by the public who drives by and certainly your customers. And I look forward to seeing you again soon.

T. Peterson: Thank you.

K. Peterson: Same here. Thank you.

Hardesty: Gabriel, does that conclude our presentation?

Graff: I believe so. Do we have any other invited testimony for this item? Andrew is back.

Aebi: We have Jonathan Ledesma. Thank you.

Jonathan Ledesma: Hi, everybody.

Hardesty: Hi, Jonathan. Welcome.

Ledesma: Hi. I'm Jonathan Ledesma with project. The developer of the field office that located adjacent to the dockside. And just a few words. I'll make it brief. I know everyone is really busy but thank you for having me here today. Thank you, Andrew and Commissioners. We had set up

March 3, 2021

to have experiential goals with the development and a large property to take advantage of the scale of it. One of those was to really support bikes, support pedestrians. Prioritize them over cars which is why almost the entire site is below grade parking. To bring outdoors in and blurring the traditional lines between indoor and outdoor. Trees on the balconies and places for the public to come and sit down and have lunch. And really amplifying the idea of landscape in a project. Really prioritizing the landscape as much as we do the architecture. We everybody had bike towns first privately purchased and the installed station on the site. The road diet pretty much amplified the goals. I couldn't be happier about the partnership with Andrew and his team and PBOT. And it just, everything just kind of came together with that. We have a bike path that runs through our site. This just elevated everything. But to also know that the money that set aside for permits and s.t.c. Fees was not only going toward our kind of frontage of the property to elevate the experiences but also to the neighborhood. To the neighborhood at large. I think that this is a great way to for us as the developers that have values, that are not about -- are about the experiences as well as building the buildings. It makes us want to do this again and collaborate with the city on those type of projects. It hits different goals across the board. I'd also appreciate working with Andrew and his team, it felt like we were part of that team. Versus, you know, us on this side and you on that side. There were creative solutions proposed throughout the process. When there were challenges of who is doing the designing of the work and who is doing this? There were just -- it was a free-flowing discussion. I really appreciated that. Yeah. Nothing but great, you know, a great experience working with everyone. I'm happy about it and I look forward to doing it again on the next project where it's appropriate. Thank you.

Hardesty: Thank you. I appreciate you being here in the partnership with PBOT. This is the kind of thing that make us proud to do public-private partnerships. So thank you.

Ledesma: Thank you.

Hardesty: Mayor, I'll turn it over to you to see if will is any public testimony.

Wheeler: Very good. First, colleagues any questions come to mind before we turn it over to the potential public testimony? Not seeing any hands raised. Keelan, do we have anybody signed up for public testimony?

Clerk: We don't have anybody on call for this item.

Wheeler: Very good. Colleagues, last chance for questions. I want to thank our invited guests. Y'all do impressive work. Thank you for being here today. This is a first reading of a nonemergency ordinance. It moves to second reading. Thank you, Commissioner Hardesty. With that, we move to the regular agenda. The first item is item number 129.

March 3, 2021

Clerk: Designate the first Monday in March as covid-19 memorial day.

Wheeler: Colleagues, our next item honors covid-19 victims and survivors. On Monday we observed covid-19 victims and survivors memorial day. Today we formalize the tradition by reading the proclamation. I'd like to start by offering you the opportunity to share any reflections you'd like to share as we pass the one-year mark since Oregon's first reported covid-19 case. Commissioner Mapps?

Mapps: Thank you, Mr. Mayor. I appreciate this community to reflect on the impact covid has had on our community. As you mentioned, just a couple of days ago we passed the one-year mark of covid landing here in Oregon. And over the past year, more than 150,000 Oregonians have come down with this dreaded disease. More than 2,000 Oregonians have perished because of covid. I think it's important that we recognize the pain and the disruption caused by this pandemic. I think it's also important that we recognize the disproportionate impact covid has had on communities of color. And our low-income neighbors. And I'm extremely proud of the work that this council and the intergovernmental partners have done to provide support to the communities and the individuals who have been impacted by this disease. I also want to take a moment to express some optimism. Especially about the future. I feel like Portland is turning a corner on covid. We see that the cases are falling and the businesses are starting to open up again. And people are getting their vaccines. And indeed we have some good news coming up. I think on march 29, adults with underlying conditions between the ages of 45 and 46 will be eligible to receive a vaccine. By the time we get to may 1, individuals with underlying health conditions between the ages of 16 and 45 will be able to get vaccination. And by June 1, we'll begin vaccinating all adults between the ages of 45 and 64. And no later than July 1, all Oregonians 16 and older will be eligible to receive their vaccine. So this is a great time to begin to do your planning about how you can get vaccinated and move in to the post-covid era. I encourage anyone who wants to learn more to go to the following website.

Getvaccinated.Oregon.gov. You can find plenty of information about when you are eligible and how to get your vaccination. Thank you, Mr. Mayor.

Wheeler: Thank you, Commissioner Mapps. Anybody else before I jump in here? Very good. Colleagues, thank you again for the comments and the reflections you have made over the last couple of days. Commissioner Mapps -- Commissioner Ryan wanted to say something. Thank you, Commissioner Mapps. Commissioner Ryan?

Ryan: Sorry, Mayor.

Wheeler: No worries.

March 3, 2021

Ryan: Thank you. I want to take a minute to say some, to thank you. To thank you and the other executive leaders in the region; such as, Chair Kafori and governor brown. The state of Oregon and our city of Portland is actually at the top of the charts in terms of how we have responded from a public health perspective. We have allowed science to guide us. That is why we have much, much lower case rate than other populations of our size. Although there is the usual disparities that are not okay, we are also actively in that conversation and dealing with it. So I just want to take a moment to say that there are many other cities and states I could be in now and I would be very, very frustrated with the reaction from leaders. So thank you for being on top of it. From minute one. I just think that everybody has gone through so much this past year. It's almost too soon to everyone reconcile what it has been like. I know for me as somebody that dealt with a pandemic personally in the mid-'80s, HIV, it's eerie sometimes the comparisons with how the public has responded. And maybe more importantly how it hasn't with stigma. So I have a lot of angst in my heart. And even pain triggered by some of the racist and mean-spirited reactions to something that is absolutely guided by science. And I'm just grateful once again that we live in a city that predominantly and a state that predominantly respects that and respects our fellow residents with kindness and with hope that we are all in this together. So thank you.

Wheeler: Thank you, Commissioner. Commissioner Rubio?

Rubio: Thank you, Mayor. And thanks for bringing this proclamation today to memorialize this really painful time in our community's history. It's really hard to believe it's been over a year now since the pandemic first hit. And all our lives have just changed so dramatically. And have had, you know, obviously devastating effects on the local businesses and the families and communities. But what I want to remember as well, and Commissioner Mapps touched on this as well. You know, the many community members that have come together in this time, I also want to honor folks like our city employees, community-based organizations, neighbors, volunteers, everyone who stepped up to ensure that so many vulnerable and challenged residents had access to food and healthcare and internet access. And devices. And also, housing and rent assistance. Which we don't have nearly enough to meet the need but if not for a lot of the mobilization community and leaders, like so many more communities, families and individuals would have been impacted even more than they already have been. So I want to acknowledge that. Also, acknowledge the hugely disproportionate impacts of the pandemic on our bipoc communities. This crisis has really laid bare the deep divide that exist in our community. We knew before. But it is very starkly clear where our work is cut out for us in this long road ahead.

March 3, 2021

But, I believe, our city will emerge stronger because the community ties are incredible. So, thank you again for giving us the opportunity to acknowledge this day and what we have lost. Also appreciate the strengths that we have.

Wheeler: Great words. Thank you, Commissioner Rubio. Commissioner Hardesty?

Hardesty: Thank you, Mayor. I want to reinforce where Commissioner Ryan said Mayor Wheeler, at the very beginning of this pandemic and early march last year, one of the first things we did was talk about how are we going to take care of people and what is going to be the plan coming out of this pandemic? Is we knew the Asian pacific islander community was hit first and hard. And are continuing to suffer through this pandemic. We also know that the systems that have been in put in place clearly reflected the digital divide. Anybody that thinks 75-year-olds are going to go to a computer and make an appointment for a vaccine just really wasn't thinking about the population that would be impacted. Then when you add race to that mix, it becomes even more complicated. So, I do not share Commissioner Mapps' optimism about how quickly people will be vaccinated. I think we still have a long road ahead. My message is even with the vaccine we'll still have to wear a mask. All it will do is make us recover faster. But it does not prevent people from getting covid. I think we as the leaders must make sure that people understand even with the vaccine they can't go out and act like they did prior to the pandemic. It will be a slow road back. But if we keep our eyes on the resolution that we passed last year, prioritizing black, indigenous, Latinx and other communities of color, we will make sure that we are coming back stronger and better. And much more equitable. Thank you, Mayor, for bringing the resolution. A time to honor the lives lost during covid-19, but also a time for us to recommit to a more equitable community coming out of this pandemic. Thank you.

Wheeler: Powerful words. Thank you, Commissioner. Colleagues, thank you for sharing your reflections. And for your partnership to not only prevail over the deadly covid-19 virus. But to help bring Portlanders together to create a healthier, safer and I believe more resilient community. Our city has as you have noted faced challenge after challenge. Sometimes at the same time. From the covid-19 pandemic to wildfires, from an ice storm to Portland's housing affordability crisis. There is no shortage of challenges. Today I want to acknowledge the terrible and the incalculable loss that the pandemic brings each and every one of us. The pain, the anger, the grief, the trauma. The heartbreak reminds me and reminds us of our collective humanity. In the midst of this loss and so many concurrent challenges, Portlanders have time and time again risen to the occasion to take care of one another and our home. I see the results from these around-the-clock efforts by our city employees; particularly, those serving at the emergency

March 3, 2021

coordination center, the Portland housing bureau, prosper Portland, our smart cities pdx team as well as our first responders. I see the results from incredible committed community members at the local non-profit organizations, businesses, philanthropic institutions as they continue to advocate for more resources to bear, to quickly adapt to comply with the public health guidance and connect Portlanders to the life-saving information and assistance. And I see all of our essential workers who keep our city running day after day from those treating the community members who are ill in our hospitals to those helping distribute the vaccine. From our farm workers to our delivery drivers, to our utility crews and many, many others. Thank you, Portland, for reminding all of us as the good that humanity is capable of. The relationships and the partnerships forged the programs, and the policies created to offer immediate relief. The sacrifices made for a better tomorrow. These will be more important than ever. As we continue our response and prepare for our recovery. It's my privilege now to introduce our creative laureate. Subashani Ganesan to reflect on different forms of art and expressio in the difficult times. We appreciate you joining us here today. Welcome.

Suba Ganesan: Thank you, Mayor. Thank you, Commissioners. Thank you to my fellow citizens of Portland for including me in this way to honor and commemorate victims and survivors of covid-19. It's important to say that every single life lost is unique. And it affects all of us as a community. For millennial, humans have had a ritual. Ritual of gathering together, to recognize the passing ofnary community members. We gather to remember the individual person. We gather to mourn. We gather to collectively respond to the sorrow and the deep loss of that person. These rituals and gatherings always include art. Music, singing, poetry, dance, because art is essential in expressing our deepest emotions. Love, pain, and longing. However, we have not been able to do that safely for the last year. So this April, I look forward to coming together with our region's artists and the community partners to build a multi-weekend, citywide project. Let's cocreate honest and athen tech engagements. -- authentic engagements. Let's collaborate to build on the grief rituals and the collective communal expressions of the naturalistic, multicultural and multilingual communities. Bear witness to the somewhere rewe have faced in isolation and build ways for the artistic healing now across the city's diverse population. Our youth, our senior citizens, our teachers, our nurses, our houseless folks, immigrants and our refugee communities to name just a few. I'm honored and humbled to build this artist-centered community expression of collective recognition for our victims and for our survivors together with all of you. So thank you.

Wheeler: First time I didn't unmute today. Thank you. We appreciate your participation here

March 3, 2021

today. So, I look forward to learning and supporting our creatives, artists and those who have lost loved ones in covid-19. I have already seen Portlanders begin to create beautiful memorials with flowers and virtual events to share memories of loved ones. It's now my honor on behalf of the city council to read the proclamation. Whereas, the first Monday in march has been designated as covid-19 victims and survivors memorial day; and whereas, covid-19(sars-cov-2) is an illness coded by a virus that can transmit from person to person and has spread across the world, creating a global pandemic that is having catastrophic effects on human life, our community, and our economy; and whereas, local and state governments, health departments, and public servants have taken bold actions to protect residents, support struggling local economies, and find innovative ways to provide services; and whereas, in response to rapid spread of covid-19 and stay-at-home orders, essential workers have stepped up to provide critical services to help protect our communities and save lives, sacrificing their own health and safety; and whereas, covid-19 has had disproportionate impact on black and indigenous people, people of color, low-income communities, and Oregon's elders, exacerbating inequities already prevalent in our systems that we must address as a nation; and whereas, public health guidance and policies targeted at prevention; such as, social distancing, wearing masks in public, and staying home help mitigate the spread of covid-19, prevent illness, and lessen the burden on individuals and society; and whereas, the symptoms and severity of covid-19 can vary dramatically by individual and the long-term health implications for survivors is largely unknown, as many survivors suffer with lingering side effects of the disease long after they no longer test positive; and whereas, nearly 2.5 million people worldwide and over 500,000 in the united states have lost their lives due to covid-19, and in Multnomah county alone, more than 500 lives here have been lost to this deadly virus; and whereas, each life lost to covid-19 has meaning and leaving a hole in the hearts of loved ones, family members, and surrounding communities; and now, therefore, the city of Portland, in remembrance of those who have lost their lives and in honor of those who are forever marked by covid and continue to suffer from the impact of this virus, supports the designation of the first Monday in march as covid-19 memorial day in Portland and encourages all residents to observe this day. Thank you. Keelan, please read item 130.

Clerk: Appoint Robert Taylor as city attorney effective February 22, 2021.

Wheeler: Colleagues, I'm very pleased to be introducing this next item. Which is to confirm the appointment of Robert Taylor as the Portland city attorney. As you know we conducted national recruitment to fill the position of city attorney after Tracy Reeve retirement in December of 2020.

March 3, 2021

Robert Taylor was our strongest candidate bringing deep public sector legal experience, the ability to lead through tough times and change in crisis. And a strong commitment to public service and the city's core values. Robert has served in the Portland city attorney's office since 2017 as the chief deputy city attorney. In the role of city attorney, Robert will oversee the office of the city attorney, leading their work to ensure the city's interest are protected. And that we can use our legislative power and legal system to support and protect people of Portland. Robert obviously, we have excited to have you taking on this role. And the city is fortunate to we will continue to benefit from your leadership and counsel. I'll turn it over to Robert to say a few words. Good morning, Robert.

Robert Taylor: Thank you, Mayor. Thank you, council. I know time is short here so I'll be brief. It's an honor to serve the council. It's an honor to serve this city. It's an honor to serve alongside the 40 attorneys and the 30 legal professionals in our office who are devoted to public service. So thank you very much for your trust that you put in me in the office. Thank you.

Wheeler: Thank you, Robert. We appreciate it. Colleagues, any comments, questions of Robert? This is your chance to get free legal advice. [laughter] Commissioner Hardesty?

Hardesty: Thank you, Mayor. I want to say to Robert, I am thrilled that you came through as our top candidate. It has been an absolute pleasure to work with you over the last two years. You are a very thoughtful, intentional individual. I cannot think of anyone better to be leading our legal team and the city attorney's office. I want to embarrass Robert for a minute because I can't do something nice and not take an opportunity to embarrass him. He and I were on a zoom call probably six months ago. The kids were home. The animals were without of control. They were all running and jumping in the background. This is how cool Robert is. Robert never missed a beat. He never commented. He never actually acknowledged that the chaos was happening behind him. And it wasn't until I mentioned it at the very end of that meeting that he acknowledged that it was a little challenging doing all this work from home. So Robert, I hope you are still my friend and you don't treat me bad because I told that little story on you. But what it showed to me is your commitment to the city. And to the people in the city of Portland. So no matter what was going on in the background, Robert was committed. He was focused on actually getting the work done that he and I were trying to get done in that meeting. Robert, that is the kind of attorney I want representing me. Thank you. Thank you. I'm looking forward to our continued partnership.

Taylor: Thank you, Commissioner.

Wheeler: Commissioner Ryan?

March 3, 2021

Ryan: Yeah. Real brief. I want to thank you, Robert, for your years and years of service and saying yes and stepping up to take on the leadership role. I have a brief Robert story. I just was sworn in and I went to this really overwhelming on boarding session with a lot of people about just basically how do your first day of work. The next thing I know I have Robert Taylor telling me you have a hearing coming up. It's starting in about 20 minutes. And this is what you are going to experience. I really trusted what you said to me. I, of course, was tongue tied and had no idea what to say after getting your advice. I really appreciate that you jumped in right away and gave me some really quick orientation. Anyway, you are the real deal. I'm really grateful that you will be in a leadership role of the city of Portland. Thank you, Robert.

Taylor: Thank you.

Wheeler: Thank you, Commissioner. Keelan, do we have any public testimony for this resolution?

Clerk: No. We have no one signed up.

Wheeler: Very good. Please call the roll.

Clerk: Rubio?

Rubio: Congratulations, Robert. And I also -- we haven't had a chance to meet yet. But I look forward to doing so and to getting to know you better. Also, just thank you for your continued leadership with the city in this very important role. I vote aye.

Clerk: Ryan?

Ryan: Aye.

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps? Cleveland.

Clerk: Wheeler?

Wheeler: Aye. The resolution is adopted. Robert, there is no backing out now. I also want to take this moment just to thank all of the people who applied for this position. While Robert ultimately in my opinion was the strongest candidate and the best fit for where the city is today and where I think we are going to be going in the near term, there were several very, very strong candidates who did apply. I want to thank all of them for taking the time to apply to go through the panel process. To spend time interviewing with me. I wish we could hire all of the people who made it in the finalist pool. They were all exceptional candidates. But Robert, you rose above the pack in terms of both your skill set and your experience in our current needs. I was delighted to make the recommendation and I'm glad the council unanimously supported you in that role and we

March 3, 2021

look forward to continue to work with you in the years ahead. So thank you for that. I vote aye. If I didn't vote aye. The resolution is adopted. Next item, 131, please, Keelan.

Clerk: Authorize a contract with astound broadband, l.l.c., in the amount of \$11 million to provide fiber optic network services.

Wheeler: Colleagues, this ordinance would approve a contract with astound broadband to upgrade the service to the city fiber optic network. The network provides mission-critical connectivity for each city bureau and regional partners allowing for success to services; such as, the internet, e-mail, virtual meetings like this one and the like. We are going to hear a brief presentation from the bureau of technology services. And our partners at Multnomah county. And the office for community technology to discuss the contract. I'll now turn it over to Beth Fox from the bureau of technology services to walk us through this ordinance. Welcome, Beth. Thank you for being here.

Beth Fox: Thank you very much, Mayor Wheeler and Commissioners. I appreciate your time today. My name is Beth Fox. I am the program manager for the fiber expansion program in the bureau of technology services. I have responsibility for facilitating communications both internally and externally for this network. I'm joined by Jessica moss who is the technical contributor to the implementation and design of the network. Jessica is here to answer all of your complicated technical questions. And will be available for that at the end of the presentation. We will have as you mentioned, Mayor, a couple of visitors today from Multnomah county. And the office of the community technology. Clerk, if you could forward the slides or show the presentation? Fantastic. So if you could go to the next slide. I believe -- perfect. Thank you so much. So, in today's presentation, I have essentially four different discussion points. The first one will be about the contract, itself, that I'm seeking approval for and the funding surrounding this contract. I will also be talking about the critical nature of the network and the value. I will take a moment when we do get to that slide to talk about the services that we are purchasing today. In what I believe is a relatable way. As I stated earlier, we will hear after that from Multnomah county and the community -- sorry, the community for technology. I apologize. They were going to be talking to us about how the network benefits them and the communities that they serve. I will recap at the end of this some facts about the proposal and then, of course, summarize the presentation. We have an appendix at the end of the presentation that we won't talk about but it's necessary if you want reference material for technical and historical information about the network. We also have a timeline to detail work to arrive at the decision today. I won't cover the materials. They are there for the reference only but you are welcome to

March 3, 2021

them when we conclude the presentation. Jessica and I, and the team will be available at the end of the presentation to answer any of your questions. In you could please forward the next slide. Thank you. This is a contract with astound broadband. We will leveraging a state of Oregon contract with cooperative language associated with it for the services. The contract and addendum numbers are listed in the ordinance that we committed for reference if you care to look them up. This is a not to exceed \$11 million contract for a period of ten years. Now b.t.s. Will fund this directly billing external and internal customers as we do today. B.t.s. Also appropriated the first year's funding for this in the fiscal year 2021. And we will continue to fund outlying years of the contract by going through our c.i.p. And the five-year plans. I'm not here today to ask an additional \$11 million from general fund. Could you please forward to the next slide. Thank you very much. So the fiber optic network I'm discussing today is mission-critical infrastructure. It's essentially the foundation of all of the communications for the city. You can read a list, a very small list of some of the services that I have outlined below. But this is where I'd like to take a moment or two to describe the service to you in a way I think we can all understand it. So this does require to us go back about 12 years when smartphones weren't necessarily universally adopt technology. You may have had a flip phone or like my husband you had a blackberry that you really enjoy and you didn't want to let go of it. You had cable. You may have had a land line as well. You even may have had a computer that were all plugged in the wall. Whoever you bought services from gave you a cable box. That cable box, allows the owner of that equipment to control the service. So, they can increase or decrease speeds at your home, through that box at any time. You can request additional band with, but it requires additional pricing. If you want to think about the devices you have in the home today, the average household has between 7-12 connected devices. It's really hard to believe that there are that many. But even if you canceled your land lines and you don't have an actual telephone that plugs in the wall anymore or you have cut the cord to cable services you probably use Netflix or prime, YouTube, Hulu. You have probably heard of a lot of those. Or you use them all, maybe even more of those. You the ability today. You might even control your lights or heating your home from your phone. You may have an x-box or some sort of gaming equipment. I mean today our appliances can connect to the internet. Your refrigerator can order milk -- order milk when you run out. The bandwidth in the home increased exponentially because all of the devices are connected. The one things that hasn't changed is the cable box. We still all have a cable box. But it's actually a wireless router and it allows all the devices to operate any any given time in your home. If you want more bandwidth you can request it but it generally comes with increase in price because the carrier

March 3, 2021

controls the service through that piece of equipment. So let's talk about the increased usage at the city of Portland. We have added thousands of smart phones. Laptops, p.c.s, these things we're all familiar with. But we have also been connected over the years elevators, parking meters, the sprinkling systems, you name it. We have a myriad of the handheld devices that a lot of the bureaus use for different service purposes. We also every year implement some new cloud or online service that you have to connect to remotely. And all of this exponential growth was before we asked 60% of our employees to work remotely. So as you can imagine, the demand on the core network is pretty high. It's never been greater than this. The regard to the demands on the contact, I'm talking about each of the locations today essentially have at that site or their sites a cable box. This cable box is controlled by the owner of that equipment. They control the speed, at which the data is sent or received from the locations. What we are asking of astound broadband to do is to build fiber optic cable to each one of the locations. But they will not be installing their equipment or their cable box if you will. B.t.s. Will be installing city of Portland equipment that allows us, the city, will be automobile to control the speed and the bandwidth by which the data is being sent and received at those locations. I'm glad you gave me the moment to explain this. We felt that this difference in service was valuable to understand as we move forward through the presentation. Now I know you have had a few minutes to look at my lovely slide to see some of the things that running. This is just a small amount of things running on this network. I want to point out the automatic fire dispatch system is an interesting application. This runs on the very network we are talking about. And the amazing thing about this software application is when 911 dispatches a fire house to an emergency, this software actually opens the garage door. Will turn off the silver oven if it's been used and just allow the firefighters to respond quickly to whatever emergency is. So when I say mission critical infrastructure, this has a public safety impact as well. So, the foundational kneltwork is ex -- network is extremely important on many levels. I have listed also some of the partners that we are working with for this network. But I would like to now have two of our valued partners talk to you directly about the benefit of the network that this provides them, their organizations as well as their service communities. So, clerk, if you wouldn't mind forwarding the slide for me, please. Thank you very much. The first person you'll hear from today my pleasure to introduce the interim director and the department of county asset c.i.o. For Multnomah county, Tracy Massey. Tracy?

Tracey Massey: Hello. Thank you. Yes. Hi. I'm Tracy Massey, as Beth said, the I'm the interim direct for the department of county assets and the c.i.o. Responsible for our technology

March 3, 2021

solutions for county. I just wanted to spend a couple of minutes. You can advance to the next slide. A couple of minutes talking about the benefits that this network brings to us. I'm going to talk about our community benefits, our partnership with the city and the other partners listed on our previous slide is vital for the delivery of services to Multnomah county. Many of our existing locations will be using this network. And it is the platform on which we will deliver services. So, under community benefits I just want to highlight the link to digital equity and the initiatives that we have going on in our community. Which have the need for connectivity has never been more apparent than through the past 12 months. But in tying it in to the Multnomah county library, we expect this network to serve all of our branches. And with that recent passage of the library capital bond we will increase the community offerings, what we offer technology wise in our locations as well as adding additional branches that will rely on this network. We operate nine school-based health centers. Unfortunately not all of them are open right now. But at all of those locations, we require connectivity. And we are increasing the use of telehealth appointments and we plan to do that in the future. Again, really relying on expanding capabilities of network. Then finally as we build new buildings in the past 3-5 years, the new Multnomah county courthouse and the Gladys McCoy health headquarters, both were designed to be able to provide and support state-of-the-art technology. Again, requiring a very robust network with the ability to increase and decrease band wid in a way that makes better sense for us. Those are some of the community benefits. Jacob will talk next about the rest of the benefits. I'll let him introduce himself.

Jacob Farkas: I am Jacob Farkas, project manager with Multnomah county. Tracy noted I will touch on the technology benefit of the network. Beth talked about this early on. The ability to scale on the needs of the location. So having the power in the city to increase bandwidth to the any of the sites, this is a great way for to us move forward. Additionally, in terms of the planning of the network, we identified several hub sites throughout the county. Which we can expand upon. Hub site is something like the home base of a network. Then you can build off of it like a hub and smoke type of approach. Then the partnership benefits all blend together here. So being able to partner with the city and the other organizations gives us an opportunity to engage with the provide veer -- with providers like astound broadband. We have strength and numbers with each of the site we bring to the table to ultimately drive the cost down for us as we move forward to bring sites on. We see a benefit to participate with the city and the other agencies to make it happen for us. That is what Multnomah county has to present today. You can move to the next slide.

March 3, 2021

Fox: Thank you. I appreciate your time. The next partner many of you may already be familiar with Elizabeth Perez, the interim director for the office for community technology. Elizabeth?

Elisabeth Perez: Thank you. We can go to the next slide. As Beth mentioned I'm Elisabeth Perez, the interim director for the office of community technology. Thank you for having me here today. We are here to voice our support for the astounding broadband contract and share a little bit about how o.c.t. and b.t.s. have and hope to continue to work collaboratively to support the digital access needs of the community. So our two bureaus have been long-standing partners on the inet, the fiber network that provides public agency connectivity currently. Through the partnership we have secured partnership through the agreements, built public partners and ensured quality services through the 300 sites via inet. Mayor, at the work session that we had in January on digital equity, you asked me a little bit about what kind of investments we should be making. If this is the type of the investment that is necessary due to changing technology? I said it then and I will say it again, yes, this is definitely the piece we need the fiber backbone will not change. That is something that we will need regardless of the technology. It will be something that we will need to maintain and keep up to date regardless. So we are excited about the opportunities the network and the collaboration between the o.c.t. and b.t.s. could bring in the future. The project lays the groundwork for the possible future digital equity initiatives that we know will rely on a scalable, robust fiber backbone. O.c.t. sees a significant long-term potential to leverage the network shared by the public institutions. We know while the ideal is to have fiber to the home, for now, you know, improving the public access points for the residents so making sure that broadband liability and the capacity is there, community centers, libraries and other anchor institutions is important for residents who have historically relied on the internet in those places. Really for a lot of those places that is where they are getting the digital literacy training and the technical support. Again, in the future, we could see this does promote the competition and increase service provider options for the community anchor institutions. Then eventually if we want to do an investment that goes further and serve our residents, you know, we could do that through expanded public wi-fi network or deliver direct services to homes through at least fiber or municipal option described in the county live municipal broadband feasibility study. So that would give the residents a greater choice in providers. So there is a lot of opportunity here. First and foremost, it's something that we need to provide our services to the community. Make sure that all of our public agency partners can continue to provide service to our community. And then with the further investment in planning we could leverage the network for more. So that is all I have to say. But I will also be around for any questions at the

March 3, 2021

end.

Fox: Great, thank you, Elizabeth. Clerk, if you would like to forward to the next slide, please. I want to talk quickly about the details surrounding the contract today. Astound broadband will install dark fiber to 171 locations today. I want to jump down to monthly cost. \$500 a month per location. I want to stress this is an extremely competitive rate by today's standards. This is a great rate to pay for the type of service. But on the bullet point about the fixed rate, the rates are going to be fixed for the term of the contract. So for ten years, this rate will not be subject to inflationary or contractual increases. This is an extremely competitive agreement to broadband. You are aware of the fact that the city will completely control the bandwidth at the locations. This is the cable box. We will own the electronics. We have complete control of the bandwidth and that means we can increase the speed at any one of the locations. At any time should they be growing or adding services. We will still pay the same rate that this contract has if it is five years from now or eight years from now. It's extremely important aspect of this contract. Again, \$11 million contract for a period of ten years and I'm seeking council approval for this contract. Clerk, if you would like to forward to the next slide, please. So in summary today, Mayor Wheeler and Commissioners there are a lot of advantages for us, not only us but the regional partners with this particular agreement. The foremost in my mind we just spoke about is the fact that the rates are set for the ten years. Again, it's compelling. This is a very affordable rate for the city to be paying and our partners. We control the bandwidth. That is an important factor in this. We spent years looking for the best solution, the one that fits the needs the city has the best. We feel that this one is the best technically. But it's also the most financially sound solution for the locations. So we are very pleased with this. So again, this supports not only our capacity planning and the implementation of the new services but it also supports those of those regional partners. I am asking solely for the approval of the ordinance. I would like to open this up to questions and encourage you to ask plenty of questions if you like about the ordinance.

Wheeler: Great presentation. Colleagues, any questions at this point before we open up to public testimony? Commissioner Hardesty?

Hardesty: Thank you, Mayor. Thank you for the incredible presentation. Well done, Beth.

Fox: Thank you.

Hardesty: As you were talking, one thing occurred to me. Of course who wouldn't want a fixed rate for ten-year period of time? That is a gimme. I would have led with them. We'll pay the same thing for ten years. Any questions? The other things that came to mind if talking, the fixed rate is \$500 per location, what does that mean?

March 3, 2021

Fox: That means for every fiber build location they pay \$500 a month for it. So maybe you have cable in your house today, and you pay \$100 a month. I'll be conservative. You pay \$100 a month and you get the internet connection. In the homes today, you can pretty much do anything as long as you have wireless connectivity. So essentially any locations would be able to run any and all services they have available to them on this network.

Hardesty: Let me be more specific, Beth. So, today, city employees, managers have to pay for say for e-mail. Pay for e-mail. If we now have a fiber system that actually allows us to increase the bandwidth, with restill going to pay per e-mail account? Or is it just the office pays a set fee of \$500?

Fox: You will still be paying for the e-mail account. There is currently -- this service is currently in these locations but the rate is actually a little bit higher than the \$500 a month. So what we are doing, upgrading a service that provides connectivity. And that is what you are paying for. You will still pay for the e-mail rate.

Hardesty: So actually we are still not creating access for the city employees to the city communication pools is what you are telling me?

Jessica Moss: I would, I'm going to chime in here from a technical -- give you a little more technical answer. So connectivity to a location is different than the application that you run over them. So the actual connection is what this contract is covering. The connectivity is going to be able to go, expand or contract. But the price willing remain static at these locations.

Hardesty: There is no cost for the individual e-mail account. We're paying it because of a formula we use to determine how much we pay for the city services. If I was going to go out and buy it, right, it's like I'm not buying -- if I have comcast, I'm not buying e-mail separately.

Moss: Right. The e-mail itself is an application that runs on the connection. And so the contract -- so, b.t.s. Has those costs they build to the end users like the bureau outlined in that way. This would be the connectivity portion of what location paid for. So right now bureaus pay a fire station for instance or a park has to pay to connect in to the city network. That is controlled city network. That is the only portion that we are speaking of today. The other things like e-mail applications or cloud services or accounts and the tax software, things like that, those are the applications that ride over this connection. So this will not impact the e-mail costs. This is a separate connectivity item that you would see as part of location.

Hardesty: So I appreciate that, Jessica. Thank you. Let me just say that we must solve that problem. We have too many city employees that don't have access to data because of the overwhelming cost that is charged by the office of technology in order for to us have e-mail. I

March 3, 2021

have over 800 employees in one bureau that does not have access to e-mail. We are creating solutions, that is a solution -- that is a problem that we must solve as a city. As we continue to expand access to the fiber optic or the communication in general. I just want to put a -- just a pen in that. We are not going to solve it today but it still does not make sense to me that we are paying for the individual e-mail accounts. Because it doesn't make sense. It's never made sense. I hope I get a briefing sometime soon as to how we'll resolve that.

Moss: Beth and I will take that back and report it to our leadership.

Wheeler: Very good. Any questions at this time, colleagues? Any public testimony on this?

Hardesty: I see Commissioner Rubio's hand up.

Wheeler: Sorry. Commissioner Rubio?

Rubio: Thank you. It was a great, informative presentation. I have a question. Are we unique or are other governments moving in this direction? And then how do we compare to the other cities nationally about what we are doing as well?

Fox: That is a very good question. I think actually you have to take a look at the unique nature of each city. We are unique in that the city of Portland actually started building its own fiber optic network and had some of the inet in place almost 20 years ago. So we have a rather good foundation in place. We have substantial fiber network compared to other smaller municipalities. But the smaller the municipality, they have a ability to roll it out on a residential basis. But the city of Portland network is strictly public agency only. So if you take a look at us as a public agency network, we are doing rather well. But we are confined to that space and we do keep our network controlled in that space.

Moss: I'll speak to the dark fiber component. Many municipals, whether small or large are moving to this. The other thing in the public environment is the university system, the counties have moved from carrier, what we consider a lit environment, where the carrier provides a piece of the bandwidth for each location. In the solid sector, you find -- in the public sector you find it moving to the dark fiber because the bandwidth constraints are tremendous. Because of all the applications, the smart phones that are better adept now and the special wireless devices that come along with the application; such as, whether you are individual and you carry a tablet with you to -- those type of things. Stress all public regardless of the bandwidth. So you see a lot of the public networks moving over to this solution. Because they can't take up the cost --

Hardesty: Excuse me, Jessica. It sounds like you are under water. I don't know where the interference is coming from but it's really difficult to hear you.

Moss: Sorry. I'll try to speak up and lean forward. So a lot of public entities, agencies have moved

March 3, 2021

to this dark fiber because it keeps up with the bandwidth. The requirements continue to grow as the devices continue to be deployed and software solutions continue to rollout. You see the bandwidth. This is an answer for many public institutions.

Hardesty: Mayor, if I may. I have a question about the dark -- what did you call it? The dark what?

Fox: The dark fiber. Fiber optic cable is light, essentially. So when it's in the ground before you connect it to a piece of electronics, it's dark. There is no light running through it. The minute you plug it in to a piece of electronics you have lit the fiber. So essentially with the contract we are asking astound broadband to deliver dark fiber to the location. Don't light it. Just make it available to us. And we will attach our electronics and the light the fiber.

Hardesty: Normally when you put "dark" on the front of something, it's a bad thing in American culture, anyway, right? So I was just curious about the term itself. Thank you.

Fox: Of course.

Wheeler: Thank you. Any questions before we open this up to public testimony? Seeing none, Keelan, do we have people signed up for public testimony?

Clerk: No. We have no one sign up.

Wheeler: Please call the roll.

Clerk: Rubio?

Rubio: Thank you, Mayor, and b.t.s. For this very informative presentation. And it's very clear that you put a lot of thought and research in work to get it to the point of bringing us what is here today. One thing that we learned over the last year, obviously, the deep digital divide that exists for people in need. And for some people the internet is their only lifeline. So I'm excited about the potential leverage points that this project could bring. I'm looking forward to continuing the work to move toward digital equity with affordable. It's one step but a step closer that gives us more control in the agency moving forward. I vote aye.

Clerk: Ryan?

Ryan: Thank you for that thorough presentation. And director Perez, for your leadership. I vote aye.

Clerk: Hardesty?

Hardesty: I you saw Commissioner Ryan's face when I was talking about how much it cost to have e-mail at the city of Portland. And I think that many of my newer colleagues just might not know what a long, hard battle it has been trying to reduce the costs and access the e-mail for city employees. So, I would encourage the office of technology services to actually include my colleagues as their are doing briefings around what we have today and what the potential is for

March 3, 2021

the future. As far as today, Beth and Jessica, what a remarkable job you have done. This is a very thoughtful resolution. I'm thrilled to be able to support it. Anytime the city can lock in our costs for a decade, no matter what we're buying. I lot makes -- I like that we are making this shift. It creates opportunities for the future as we address the digital divide. Not just inside city hall and the communities we serve. Happy to vote aye.

Clerk: Mapps?

Mapps: I want to thank the colleagues for the thorough presentation. This is a great project. I'm excited and happy to vote aye.

Clerk: Wheeler?

Wheeler: I vote aye. The ordinance is adopted. Thank you for your hard work on this. Next up, 132.

Clerk: Amend interim management agreement with pioneer courthouse square, inc., to extend the term of the agreement and increase amount by \$570,000.

Wheeler: Commissioner Rubio?

Rubio: Thank you. I'm pleased to bring this ordinance forward today. Pyre near courthouse square inc. Successfully managed the square on behalf of the city for over 35 years, pursuant to various agreements. The current agreement will expire in a few months and it needs to be amended to extend the term and to add funds to the contract amount to cover covid, and the other related costs as well, as well as if regular ongoing operational costs. To hear more about this I'll turn it over to the park staff for their presentation.

Dylan Paul: Yes, thank you. Good morning, Mayor, Commissioners. I'm Dylan Paul. I use he/him pronounces. I'm the property development and business manager for parks and recreation. Joined with the partner and manager for square Jennifer Polver, executive director for the pioneer courthouse square incorporated. The purpose of our item today is to seek approval to authorize an amendment for the city's interim management agreement contract with the pioneer courthouse square incorporated. We are making decisions related to the square and the partners, it's important to remember the long history and original intent to the site. However, due to the time and the relevancy, i'll abbreviate most of it and touch on the most important parts as it relates to today's presentation. I apologize in advance if I miss anything or leave anything out that is important to anyone on this call. By the mid-to-the late '70s, the city's downtown plan included the development of the large public space that led to the purchase of the square. Which at that time, was still parking garage. After international design competition, the Portland based design team led by the local architect willard martin went to lead the design

March 3, 2021

with the support from Commissioners Jordan and Linberg it would go on to be featured in "Time" magazine as one of the ten most notable design achievements in the country. Today the square is home to 300 separate events that are programmed and managed by the partner at the site. Home to the commuters from all over Portland. Funding for the construction of the park came from the many areas including the city, community partnerships and the brick sales. Born out of the relationship needs to build, manage and operate the square, the 501(c)(3) non-profit Pioneer Courthouse Square incorporated was formed with the intent to manage the square on behalf of the city, the stakeholders. Parks opening in 1983. This has been transformed in times over the years. The current agreement was meant to be temporary and a new long-term management agreement could be negotiated. Recent and the older ongoing events prolonged the discussions. It's the intent of the parties to now negotiate a new long-term agreement over the next 12 months that honors the shared past or the past shared here today and keeps up with the city's modern needs. This includes ongoing work from a former amendment where Pioneer Courthouse Square agreed to contact with either internal or an external consultant approved by the PP&R to explore and draft a new financially sustainable, operational management plan to help with the drafting of the new agreement. The intent was for them to provide us with an updated management plan in line with the current role at the square. For this agreement, PP&R would still be using in-house city resources, and the city attorney's office to negotiate and draft any formal agreement. This amendment is for both time and money. I vote today -- the aye vote today would result in a 12-month extension of the current agreement and add additional \$570,000 to the maximum contract amount. Of the \$570,000 being discussed today, \$110,131 has already been authorized by council as part of the 2021 fall bump process. Where additional expenses related to one-time COVID operating expenses and the repair costs related to city property damage surrounding activity over the past year. Improved \$110,131 could not be paid to Pioneer Courthouse Square due to the contract exceeding the maximum limits delegated to staff necessitating the return to council for action today with the need to extend for time. The remaining not to exceed amount \$459,896 is reserved for the regular and ongoing work under the management agreement between the city and the Pioneer Courthouse Square, Inc. For services provided in the coming 2021 fiscal year. The services include full-time bathroom attendants, site security and the restroom management including services. Restrooms at the square provide services for roughly 30,000 Portlanders each month. And with that, I will end my presentation and answer any questions that the council might have.

Wheeler: Commission -- sorry. Commissioner Hardesty?

March 3, 2021

Hardesty: Thank you. I appreciate the presentation. Dylan, my question is around you are requesting the city provide resources so you can hire a consultant to negotiate the new contract. Why would we do that?

Paul: Yeah. Excellent question. So, under the current management agreement, pioneer courthouse square, inc., manages and programs the square. The request is not for the city to provide those but for pioneer courthouse square incorporated to act in the capacity as the city extension management agency to come one a financially sustainable plan. Then for that to be memorialized in a contract extension that would be negotiated with the city staff internally.

Hardesty: So I'm sorry. Would you say that again, Dylan? You are going to hire a consultant to do what?

Paul: So, pioneer courthouse square, incorporated, is going to work with a consultant to come up with a financial management plan that would then be presented to the city. The city would then take that and incorporate it in to potential future agreement negotiation. That will be led by the in-house resources. So pioneer courthouse square essentially provides management services as part of the duties under that agree, we are asking them to provide somewhat of a forward-looking sustainable and financial management plan for the ongoing operations at that site.

Hardesty: So I just want to be clear that the city will be the one negotiating with this non-profit, pioneer courthouse square, inc., right? I'm hopeful that Commissioner Rubio and I will work together because there are a lot of these agreements in a very small geographic area downtown. We will look at all of those selectively. I'm not sure what has happened in the past around the agreements but I think we will look at it with an eye toward equity and making sure that we are not duplicating services with a whole variety of public/private partnerships downtown. We are going to look at them thoroughly. I don't think we can assume we are just going to automatically just renew it as you have seen it in the past. We need much more -- we need at least for -- let me say at least for the ones that I am responsible for. I am taking a very deep dive because just because we have done something for 30, 40 years doesn't mean that it is still in the best interest of the people of the city of Portland. So we have a city council that is actually thinking up differently and outside the boxes we have been in. So I don't want you to go down a path and then think because of today that we have authorized a passive action that we have not. Does it make sense?

Paul: Thank you, Commissioner.

Hardesty: You're welcome.

March 3, 2021

Rubio: I'll just chime in here, too. I think that we are all on the same page about this. I had a chance to talk to Jennifer earlier this week. And we are all on the same page about Jennifer has done a lot of great work that this has been a hard year for the square. As it is for everyone. We just need this time. She needs this time. So that she can do due diligence and create a thoughtful plan that considers the new landscape we are in. And also has important questions about the organization has grown as well and has different needs. As the landscape has changed. She is quite aware of this. If she is on she could speak to it, too. This is about planning and conversations and doing the big look at where the square is. She is ready to engage and we are ready to engage with her. Commissioner, absolutely, I would love to meet with you to hear the questions to make sure I'm aware of what you will be looking for as we engineer the work.

Hardesty: Excellent. Thank you. Jennifer is here. She is champing at the bit. So I'll stop and give Jennifer an opportunity to weigh in. Thank you. Thank you Commissioner Rubio. I'm looking forward to the work. I think we have a lot of, we just have a lot of stuff that doesn't make sense today. It may have made sense a long time ago and I'm looking forward to us looking at we having a critical eye. I appreciate your willingness to do that. Jennifer?

Jennifer Polver: I want to say thank you to the parks and Dylan, director long and the Commissioner Rubio for their help and support bringing it forward today. It has been an incredible challenging and difficult year that we adopt to a normal landscape and look ahead with the lens of equity and look at what is sustainable long-term plan. There are critical sub pick services to the small site and that it provides. 30,000 a month use the public restroom. It gets intense use and it's been really important asset over the last year. We look forward to figuring out how to regroup after this year. And move forward with parks to figure out the best solution for the collective future. Thank you for considering this today.

Wheeler: Thank you. Commissioners, any questions? Public testimony on this item?

Clerk: No.

Wheeler: This is an emergency ordinance. Call the roll.

Clerk: Rubio?

Rubio: Thank you. I want to thank Dylan for your work on this and acknowledge the great and important work of Jennifer for her many years of the service and leadership at pioneer courthouse square. I think she has been there ten years? Ten-plus years?

Polver: 16.

Rubio: My gosh! 18!

Polver: Scary.

March 3, 2021

Rubio: She has managed really great oversight of one of our most cherished assets. There is no better person I think to be engaged in this big look. She has wisdom and the experience of the years past and then is ready to really talk about and draw on the experiences about what and project what we can look toward moving forward. Also, just want to highlight that, you know, this is Portland's living room. This is where we go to gather to advocate for things that are important for us. To engage about the future of the city and to celebrate events and the milestones. Also to listen and dance and hang out with the friends and family or simply to eat lunch on bricks on a sunny day. So, covid has been hard for all of us. And you know, equally hard on the square. We must continue to take care of it for the future generations of Portlanders to visit and enjoy. As the parks Commissioner I look forward to learning more and engaging more on the long-term vision for the pioneer courthouse square and how the city can continue to work with the square. And support us for many years to come. I vote aye.

Clerk: Ryan?

Ryan: Yeah. Thank you for the information today. I really do look forward to getting down there this week. I really appreciate what you are doing around covid-19. And to memorialize that. I vote aye.

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Wheeler?

Wheeler: Aye. Ordinance is adopted. Thank you, everyone. Great presentation. Next up, item 133. Also an emergency ordinance.

Clerk: Authorize the bureau of transportation to acquire certain permanent and temporary rights necessary for construction of the northeast 60th avenue and northeast Halsey street area improvement project, through the exercise of the city's eminent domain authority.

Wheeler: Commissioner Hardesty?

Hardesty: Thank you, Mayor. The northeast Halsey street area improvement project will improve traffic on the northeast Halsey street from 67th and 60th avenue. And in addition, and other areas that staff will give you more details on, this is an important project because it will address traffic safety concerns in a high-crash corridor area. And what this will do is authorize the bureau of transportation to acquire permanent and temporary rights for property in that area. I believe Marty Maloney from PBOT is here to speak on this issue. Am I accurate? There you are, Marty. Hi.

March 3, 2021

Marty Maloney: Good morning, Mayor and Commissioners. Actually, at this time I will hand it over to Nicole to begin the presentation and then I'll follow up at the end of hers.

Hardesty: Okay. Thank you. Nicole?

Nicole Peirce: All right. I'm going to share my screen.

Wheeler: There we go.

Peirce: Okay. Thank you, Commissioner Hardesty. Good afternoon, Mayor and Commissioners. My name is Nicole Peirce. I'm a capital project manager at PBOT. And I'm here in support of Marty Maloney and the right-of-way division to give you a brief overview of the northeast 60th and the Halsey area project. This is a \$9 million project with a few sources of funding. House bill 2017. Capital set-aside and transportation system development charges. We will be going to bid on this project this fall. As soon as the right-of-way phase is complete. Which means that construction will start in early 2022. So the limits of this project include northeast Halsey street, which as Commissioner Hardesty mentioned is high-crash corridor. From 47th to the 60th avenue. And northeast 60th avenue from Halsey to the 60th avenue max station. This came out of a few planning. The first was the eastside mass station community plan a joint effort with the PBOT and the planning and sustainability. This was a land use and the transportation plan for the max station neighborhoods from the 60th to 162nd. That plan made general recommendations to improve the sidewalk on 60th north of the max station and enhance business district around 60th and Halsey. So then, in 2017, PBOT's growing transit communities plan included a more specific design concept for widening the sidewalks on 60th avenue. And recommended a corridor safety improvement along Halsey to widen out the substandard nine-foot travel lanes. To eliminate the pro-time parking. For those of you who don't know and I learned this fairly recently myself, pro-time parking is a lane that vehicles can't park in certain times of the day. So, on Halsey, you can't park on the northside, the westbound side in the morning. And then you can't park on the eastbound side for a couple of hours in the evening. That is the pro-time parking. The 2017 plan also recommended rebuilding some of the traffic signals on Halsey. So what is the project going to do on the planning efforts? On Halsey we will repave part of the project area. Where the pavement is in really bad shape. So, that will be from the 53rd to 60th repaving. From a four to a three lane cross section. Because we're going to that three lane cross section, we'll also have space in that center lane to add two new pedestrian crossing median islands at 50th and 55th. We'll be creating the curb ramps and street lighting and crossings. We're also working on northeast 60th avenue. We'll be repaving there as well. We'll be widening the sidewalk there from the current very narrow four feet out it a six and a half foot sidewalk.

March 3, 2021

We'll be installing curb extensions and curb ramps and adding some street lighting. This slide just summarizes the improvements on Halsey while you were looking at this map. This summarizes the improvements on 60th. Public involvement for this project, we held an in person open house back in may 2019. That was precovid of course. That was attended by one hundred people. It was a an open forum. I presented at land use and transportation meetings. We received some feedback and sent letters to property owners and informed them on upcoming process. With that I'll segue into the wrying of way process.

Maloney: It gives the authority to effective property owners for easements and property rights associated with north 60th. Minor easements are necessary to support construction of property improvements. It will allow certain ado compliance. This concludes the presentation. If council has any questions we'll be more than happy to answer any that you may have. .

Wheeler: Colleagues, any questions. Keelan, do we have any testimony?

Clerk: : No.

Wheeler: Please call the roll.

Ryan: I want to appreciate learning about when you can't park between four and 6: 00 p.m. Aye.

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Hardesty: Who says we don't learn something new here everyday in this job. This is really critical infrastructure improvement. As we said over and over, this is a high crash area that desperately needs these repairs. Happy to vote aye. .

Wheeler: The ordinance is adopted. Item 34 very similar.

Clerk: Certain temporary rights necessary for construction of the richmond roadway through the exercise of the city eminent domain authority. .

Hardesty: Thank you, Mayor, I'm going to turn it pack over to my team. I believe David is going to speak on this issue. Take it away David.

David Backes: Thanks a lot. I'm going to attempt to share my screen and do a brief presentation. I am the capital project manager for the north main street repair project here at saint johns where I'm calling in from. Thanks for the opportunity to give a little overview here. This is about a 4 million-dollar project. It's one of the first projects out of the gate for build Portland. We're approaching final plans and really close to wrapping up the design of this project.

Hardesty: Could you take a couple of seconds and explain what build Portland is.

Backes: Yeah. Build part land is a funding stream that's been in existence for a few years. It's using expiring urban renewal area it fund infrastructure projects. One of the main objectives for that funding stream is to help relieve the future maintenance stream on the city. It's considered a

March 3, 2021

failing street because of all the cracking and all of that. Get in and fix the street so we don't have to fix potholes in an area where they are going to show up again next year. Like I said, this area is in saint johns. The downtown core, the main business district. We have Richmond over here on the east side and closer to the north west side we have east lewis. We're looking at the downtown core and I'll get into scope in a couple slides here. Some of this is a little bit of a prelude of what I was talking about for build Portland. The PBOT asset manager identified this portion as having poor pavement condition and would be an appropriate candidate for build Portland. We also applied our safety, equity, and managing growth lenses so this is on the high crash network. It's in a high equity need area. Saint John's in general has lower incomes, more diverse than Portland as a whole. We're looking at an area that is a key transit link. A lot of transit dependent folks here. The improvements will help improve lines for 44 and 65, some of the project elements are making it easier to use the bus and cross the street and things like that. Some of the goals are walking and using mobility devices. We want it to be a more welcoming multi modal environment. Help people get around the lombard. Reduce our funding gap. Let's fix it all and do a really good job and keep the potholes out of the street for a long time to come. The main cost driver of the project is repairing the street. I have a picture here in a couple slides that can you actually see a little more about it. We're also bringing ADA curbside ramps. The sidewalks are pretty old and a lot of them don't have sidewalk ramps at all. This will be adding a bunch of ramps which will be great for the neighborhood. Bus stop extensions. The bus can't fully pull to the curb. They are halfway into the curb and halfway into the street. People drive around the bus into the oncoming traffic which is obviously not ideal. This is pulling out to meet the bus. The buses don't pull over anymore. The idea is it makes it easier to get on and off the bus and people are less likely to drive around in traffic. We're putting in concrete services. You get less than that ripple effect in the pavement. That area will all be done in concrete. We're removing a couple old traffic signals that are no longer necessary and a rapid flashing beacon right in front of old john's elementary school. There's a bus stop right near there too. Some traffic signal upgrades, making their routing a little more efficient through the neighborhood. Buses look a little better. This is showing some more of the details here. This picture -- one of the days we went out to see where -- I guess one point I missed, in 1903 the trolley tracks were extended through this section of Lombard here in saint john's. We can't send a machine to do a grinded pave. We would probably hit the tracks. We went out one day to locate them with a fancy metal connector. You don't need to a metal detector because the rail is poking through the pavement in some spots. All of that is coming out. It's going to be a brand new road, curb extensions and

March 3, 2021

bus stop since. I've been with the project since it started. Two and a half years now when we started public involvement. Like the last project we started precovid and did some walks in the neighborhood. We've done canvassing in English and Spanish to all of the businesses up and down Lombard and met with the neighborhood association and business boosters quite a few times throughout the last couple of years and have just try today stay in as good touch with everybody as possible in these times. Keeping phone calls with some of community members.

Maloney: Any needed temporary rights and to condemn for the property rights for the street fair project. Permanent right of way is not necessary for the project. Temporary rights is needed for about four properties for construction of improvements. This will allow for ada and sidewalk facilities with the city's existing rights of way. That concludes the presentation, if council has any questions at this time, I would be more than happy to answer.

Wheeler: Colleagues any questions on this item. That was a pretty thorough presentation. Any public testimony.

Wheeler: This is an emergency ordinance, please call the roll.

Clerk: (roll call).

Ryan: I want to acknowledge beacon. .

Hardesty: It's wonderful to see the creativity that PBOT use it soak every dollar to invest in our street repairs. This is a necessary project and I'm grateful for the work to be done to lay groundwork for this work to be done. I vote aye. .

Wheeler: The ordinance is adopted. The last item for this morning.

Clerk: A non-profit organization to provide liability insurance coverage for neighborhood associations and place based community groups in southwest Portland. .

Hardesty: Thank you, Mayor. Thank you, colleagues. As you know on January second, I was assign the office of community and civic life. One of the big issues that had been out staning was the the southwest neighbor hodz stab ill. Koit yip kuns he will withheld funding because of an audit that needed to be conducted. I have here my staff to make a presentation on this ordinance.

Kristin Johnson: Thank you all Commissioners and the Mayor for allowing me to be here and present on this. I'll provide additional little bit of background on how we got here today. 2020 based on concerns of suspicious activity, council made the decision to pause the district of coalition service dollars pending a third party independent audit. That firm is free from conflicts of interest and hired specifically to ensure biased free findings. They commenced work in November of 2020. The audit concluded and results were released with financial miss

March 3, 2021

management and absent and deficient. Concerns around board dysfunction including bullying. Following meetings with stake holders including board members, city attorneys, other stake holders, we present the ordinance today for a first reading. This ordinance seeks to authorize two fte coordinator positions in the office of civic life. Outlinelet city code as the office already does with two other district coalitions. No additional funding is needed. The creation of position descriptions we'll realign additional appropriation in the spring bump. A provision of a 20,000-dollar grant to work with the insurance in sponsorship, we do this with the two other coalitions that the city provides services to. The non-profit partner will be chosen through an open executive process. While these actions are specific to one organization, entirety of the system and the service provision, the equity of service provision is important to everyone here at council. That comes by requiring that we schedule additional work session to neighborhood association it ensure that the provision of equitable services and resolve long standing issues as identified by the city auditors office. I'm happy to answer any questions if anybody has any. .

Hardesty: Well done, Kristin. Any questions colleagues?

Ryan: Thank you, Commissioner Hardesty. That was really informative. Since you're on the zoom at the moment. You stated that this is lacking at additional two fte and then he think I heard that there's no cost or financial impact. As there were services provided by sweeny.

Johnson: The city would provide two fte that are outlined in code and standards. The reason we don't need additional funding is because the money that would have been a grant would be sufficient to provide those services in house. Just like other coalitions at the city, they have two or three fte to provide those services. This is on par with the other services and coalitions.

Johnson: I don't remember how many fte they had. They had executive director and two or three fte and will these of volunteers.

Ryan: Thank you. I had to get a little more clear on that. .

Hardesty: Thank you .

Wheeler: Thank you,.

Mapps: We know from reading this that sweeny has brought on staff. We need to hear about the game plan and the continuation of services from the southwest services between now and when the two staff are hired if this ordinance passes. I just want to hear what we're doing today for those good neighbors in the southwest neighborhood area.

Hardesty: They have one point of contact in the office of civic community and life. I'm being corrected.

Johnson: Andrea Williams.

March 3, 2021

Hardesty: They are the point of contact who need assistance today. It was a big concern that I heard from the other neighborhood associations as soon as this vote happens, we will be able to process insurance for those other neighborhood associations that have been served by Sweeny. I want to be clear. Sweeny is a non-profit organization with its own board of directors. Whatever decision they make. The insurance can happen immediately.

Wheeler: I want to put a note out that we have at least seven people signed up for public testimony. How many people do we have signed up first of all?

Clerk: We have seven people signed up currently.

Hardesty: Richard, you are on mute, if you are trying to talk.

Richard Freimark: : The first thing I'd like to do is thank everybody for allowing this. I'm going to present a screen share of my testimony that's already been submitted. I'm going to start -- hopefully that's going to work. Can everybody see that? .

Wheeler: That looks good.

Freimark: I'll start my clock. Great. I respectfully ask her to finish on her time.

Wheeler: We want to keep it under three minutes each please. Thank you.

Freimark: We will. It contains misinformation. Let's set the facts straight. Since July 9th 2019. The council directors failed to meet with Sweeny leadership or the decorative director to discuss alleged concerns of fiduciary responsibilities or financial controls. Civic Life has worked against civil discussions. Let's have a civil discussion instead of a zoom war. The plan was dismissed in this e-mail and the council member never spoke with us as part of the audit. Let's discuss the plan's merits in a cooperative not combative manner. Let's allow Sweeny due diligence which they've never had. Allow Sweeny to show sound financial practices that have been in place since 2011. All theft was prior to 2011. The 2000 theft was the primary focus in the audit report. This was a miss direction away from current Sweeny operations. It's old news. The theft was completely adjudicated. If you read the audit report from 2020, the report did not find any abuse, fraud, or embezzlement since 2011. The lay of reporting was one of the things that the council brought up. This is not true. It implies a cover up. Under the old accounting system no one knows where the funds were stolen. The theft caused Sweeny to -- the auditors ignored the facts that the bank transfers in response to the theft. The process is consistent with gap. I would like to hand the next portion over to Leslie Hammond.

Leslie Hammond: The decision you are you talking about making are that you said that Commissioner Hardesty has made is based on the audit report. We who were advised by two different Commissioners not to discuss it are being forced to defend it because it's a basis for

March 3, 2021

Commissioner Hardesty's decision. We're going to defend because what has happened is this process has damaged and ruined our reputation. I know for a fact we had a cpo on our board for two years who went through all of our financials and they were in good shape. We had a retired auditor. The basis for the decision is based on faulty information. There was an allegation that we played for ttp funds which is inappropriate. They weren't sure what money would be available and other opportunity based groups. We applied for ppe funding not knowing whether it would be a supplement or a sum of money that we might be available to us in 2021. Commissioner Hardesty is not to blame that she's based her decision on information that came from her bureau. It was faulty and trustees have to trust management and staff for correct information. This was not the case. We're asking that you not approve this item as written. We continue to let the citizens of Portland serve their businesses through sweeny. That we keep our neighborhood office which is very important in the office and not have it sent down to city council. We send you hundreds of e-mails and phone calls because we can answer so many questions in our own neighborhoods. We can manage and hire our own people instead of city people which creates a chilling effect on civic involvement. If you have any other concerns about fiscal management. If you send a person once a month, you can see how it will be spend. Lastly with our ten point program we focused on what we said are the most important values which is climate justice, equity, racial justice, transparency, and collaboration with our stake holders. You need to give Sweeny a right to publicly explain its financial records and to debunk the 2020 forensic audit which is bias flawed and not based in large cases on fact. Thank you very much.

Wheeler: Thank you. Next Keelan?

Clerk: Next up is Steve Mullinax.

Steve Mullinax: Can you hear me? Thank you. Good morning Mayor and Commissioners. Thank you for the opportunity to testify. I'm Steve Mullinax and first vice president of Sweeney. 17 neighborhoods and 80,000 people in southwest Portland have been served for the last 40 years by southwest neighborhoods incorporated. They rely on Sweeny for professionally provided services, including web hosting, monthly southwest news, community events, meeting space, and insurance coverage just to name a few examples. Since July of last year, the City of Portland has provided no funds to Sweeny, we have continued to provide some services though constrained by dwindling resources. This required ultimately laying off our entire staff with the exception of a part time bookkeeper. The burden of providing services has increasingly fallen on volunteers. This effort continues. Dozens of volunteers is partly helps Commissioner Ryan to see how the services are currently being provided. Dozens of volunteers to our best to provide

March 3, 2021

services. These services are critical to ensure citizen participation in matters effecting the present and fought you're livability of our neighborhood. Maintain communications between neighborhood agencies and provide opportunities for public dialogue and improve the quality of life in southwest Portland. I ask that you consider the points that they proposed in southwest Portland and other related points. The engaged residents should be the boots on the ground advocating. I ask that you not approve item 135.

Wheeler: Thank you.

Clerk: Next up we have Janet Hawkins.

Janet Hawkins: Hello. Hopefully I'm unmuted here. My name is Janet, I'm board secretary. I wish to reserve my -- I oppose item 135 and ask that you delay a decision until the office of civic manager is completed. Sweeny had had two full time fte and five part-time fte that offered incredible services to residents of southwest portland. Talk being the newspaper, website support. We have a part time bookkeeper. We have had an had part time volunteers. A year which has been contention communications and unsound administrative decisions throughout civic life. We hoped the office of civic life would conduct an audit n a fair manner. We ask they work with the city to identify any corrective actions. Unfortunately this did not happen. Civic Life is plagued by administrative mismanagement and employee mistreatment. They had the capacity to provide staffing to southwest Portland. This damaging behavior is consistent with the staff during past year. My understanding is the management audit will soon be made public. I urge you to address the findings before making any actions that are direct by this audit. Thank you.

Clerk: Next up, we have Marianne Fitzgerald.

Marianne Fitzgerald: I served on the sweeny board from 2008 to 2014. I disagree with the findings in the ordinance, the forensic audit. The findings state they are based on facts and that is just not true. I did a chain of e-mails today. Sweeny and the people of Portland have not had an opportunity to discuss ways to move forward from this false narrative. Commissioner Hardesty said she met with the board and crest wood was not invited to that meeting. She said that she was not going to discuss finances. I can express some frustration about the closed door process behind a lot of these decisions. I strongly disagree for the proposal to take over for neighborhoods like mine and provide funding for insurance and a different non-profit with sweeny. I recommend you reinstate funding to sweeny and serve the people of southwest Portland. I'm asking you to amend the ordinance and direct civic life to work for collaborative with sweeny on resolving issues in the future. I fear the outcome of this ordinance would be a

March 3, 2021

loss of the volunteer energy to deal with the money issues we face as a community. Please consider amendments or vote no on this proposal. Thank you.

Wheeler: Thank you.

Clerk: Next up we have Claire Coleman-Evans.

Claire Coleman-Evans: I'm in the middle of moving in the car. I want to let you know that I'm opposing the proposal of the sweeny coalition and redirecting of the funds. I feel the ordinance is deeply flawed. Only standards 4e4. Extensive oared nation between mull m neighborhood associations and district coalitions. Such actions and many things will be escalated. Changing maps, brochures et cetera. Civic life should follow its standards and have a thoughtful process and be inclusive and not just talking to certain people. Instead we were notified in a board meeting that civic life would not recognize sweeny. We were told to call Andrea Williams. I told her she would need to get back to me with my questions because we had the meeting that was today. Everyone needs to have the same respect and time to find out what the findings are. Civic life are currently being received by the civic life for failures and complaints about management style within civic life. Don't add two full time positions for a department that is currently under review. The office of civic life and civic code regulates district coalitions. There's been for too many attacks. It's been authoritative instead of collaborative in nature. I would like to see changes in this process. I've been with the process since 2005. They were always very helpful. Since the last two to three years, it's been a hostile environment. I do not believe that Hardesty has neighborhood interests in best mind. I wasn't talked to once. There's a lot of people who haven't been talked to. She claims she has talked to us. She has not done her due diligence. If she did she would have given sweeny a chance it rectify it instead of just dissolving it.

Wheeler: Thank you for your perspective.

Clerk: Next up we have Christopher brown.

Clerk: Christopher are you able to unmute?

Christopher Browne: My name is Chris Brown. I reached out to the southwest neighborhood community. They were involved against pushing back against the rip stop. I got to know them really pretty well. I believe that they are representing their community in a very good and unbiased way. The issues that were in this record seem today have happened ten years ago and were handled back then. If there are any new issue that's are not ten years old, those issues need to be spelled out and the community group needs to be helped and not just replaced with a group of people who told the company -- I see this as an a tact on independent neighborhood groups by office of civic right. I think that sweeny is backing the community members interests

March 3, 2021

over what forces in the city see as a the future. I think that's really the issue here. Please work with sweeny and do not get rid of them. Because they -- we need some more balance than what we want with our slash and burn politics which a lot is going on at this time. I would recommend that we back sweeny and help them. That's all I have. Thanks very much.

Wheeler: Thank you. Appreciate your perspective and being here.

Clerk: Next up we have Maria Thi Mai

Maria Thi Mai: I'm here to ask that you table this ordinance. Commissioner Hardesty has a open house scheduled for march 9th. That's an ideal time for her to hear from the community. This ordinance will not have anymore public testimony which means the neighborhood associations will not be allowed to have any conversation with its residence before the decision is made. We believe that this ordinance should be tabled so that neighborhood associations and its community residents have time to have a conversation about this. Especially with the open house coming up it's a perfect time to get more information about this issue as well as other issues that the neighborhood has. Furthermore, we would like to have this tabled until the office of civic life's audit is complete. It seems to coincide in having an audit and have sweeny move to an entity that is already been audited that sweeny has been accused of. It seems a conflict of interest. We would like to propose these two jobs, a detailed job description. You're asking these two people to do the job of six people. Including the newspaper, answering calls. That's a big load for two people with a multitude of skills. We would like to see that job descriptions be created, if it is going to be two people. Ideally it would be four like other coalitions that have staff of four people. Foremost we would like to ask that this ordinance be tabled until there can be a broader discussion by the community. Thank you.

Wheeler: Thank you. Maria just to let you know this is a first reading, we won't be taking a vote today. We won't be voting today. Next individual, please.

Clerk: The last individual is Joyce del Rosario

Wheeler: Welcome. Thanks for being here.

Joyce Del Rosario: Thank you for allowing me to share. Southwest Portland is richly diverse. We invest in our relationships and leverage the intrinsic value of working together. Families of all types and sizes gather here and enrich our lives. Many grass roots organizations take advantage of sweeny's community calendaring tool. It serves the public interest. All 17 neighboring associations. The publication is made available free of charge in many languages both online and used to be in print. Residents search out to reach a staff member. It's a mission critical. Let us not minimize the provined individuals. They have the privilege of hearing directly from the

March 3, 2021

people they hope to serve. Southwest Portland residents, we notice that our neighborhood associations prioritize people over property values. The ranks of this coalition of neighbors includes some of the -- because we embrace diversity we embrace conflict. We created a cooperative not competitive environment. In this space we set aside selfish ambition and in that bold spirit we use every tool collected to reach a neighbor in need and leave this place better than we found it. It's worth effort the hassle and this cost. We need your words of encouragement. We are the faces of Sweeny asking for your help.

Wheeler: Thank you, Joyce. Appreciate it. Colleagues any further questions?

Hardesty: I would very much like to respond. The forensic audit was expanded to include the second quarter of 2010 and 2011. I want to make sure my colleagues understand this was not a one off. This was a very thorough detailed financial audit of this particular organization. I want to be very clear. Sweeny is a community non-profit 501c3 organization. My role as the Commissioner in charge of civic and community life was to go and review both the audit and also the additional information that the audit actually highlighted. You see some of that in your documentation. The city of Portland has a strong core value about treating people with respect and dignity. The audit found that bullying and intimidation was a continuous effort with this particular board. I in no way rushed this decision. I want you to know. I came in. I inherited a question around whether or not we would continue to fund Sweeny. I made no rash decisions and looked at a plethora of information. We tried to identify a non-profit organization to take on the work that Sweeny had been doing. In many cases very effectively. There was no non-profit that wanted to touch this with a ten foot pole. They did not want to inherit what is now Sweeny. This is based on good financial practices and good merit. I encourage colleagues to look at this report before next week. If there are any questions I'm happy to take them now or please reach out to me between now and next week when the final vote happens.

Wheeler: Thank you Commissioner Hardesty are there any questions? Thank you all. Thank you for the presentation. This is a first reading of a non emergency ordinance. We are adjourned. I would propose that we be readjourning in 20 minutes. We extend our break until 2:15 p.m. I have a number of calls I have to make. We will reconvene at 2:15 p.m. Thank you. We are adjourned everybody.

At 1:35 p.m., Council recessed.

March 3, 2021
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. The official vote counts for council action are provided in the official minutes.

Key: ***** means unidentified speaker.

March 3, 2021 2:00 p.m.

Wheeler: This is Wednesday march 3rd, 2021 council hearing. Call the roll. [roll called]. Under Portland city code and state law, the city council is holding this meeting electronically. All members of council are attending remotely by video and teleconference, 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, 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 business. We'll hear from our city attorney.

Linly Rees: You can speak about any subject. Council will hear public testimony on resolutions and ordinances (first readings only). Testimony is not taken on communications, reports, second readings, proclamations or presentations in accordance with code 3.02.040 f. And g. Public testimony will be heard by electronic communication please identify the agenda item(s) you want to testify on, and then visit the council clerk's agenda webpage to register, provide your name, agenda item number(s), zip code, phone number and email address. Individuals have three minutes to testify unless otherwise stated at the meeting. The deadline to sign up for the march 3, 2021 council meetings. Disruptions won't be tolerated. All council meetings are recorded.

Wheeler: Thank you, first item is item number 136.

Clerk: Comprehensive plan map and zoning map to implement expanding opportunities for affordable housing, package b.

Rees: I think it starts with staff.

Wheeler: The staff will present the expanding opportunities for affordable housing package b, I

March 3, 2021

like to turn it over to Commissioner in charge to it introduce the project.

Rubio: First land use case to come to Council since I've become the Commissioner of the bureau of planning and sustainability. I'm excited to see projects that use the zoning code and land use regulation to address the housing crisis. Today we will be hearing from staff who will present recommendations on proposed amendments on the comprehensive plan map and zoning maps that aim to facilitate affordable housing on land owned by community based organizations. I'll turn it over to Eric Engstrom and JP McNeil.

Eric Engstrom: Good afternoon. I manage the planning group at the bureau of planning and sustainability. We're here to talk about package b of a previously adopted project called the expanding opportunities for affordable housing. This project was a result of a grant from metro in partnership with ministry Oregon and it focused on affordable housing by faith based and other community based organizations. The original project which you heard last spring adopted zoning code amendments -- and map changes for -- for -- to facilitate the community based organizations to further housing opportunities on hair campuses and sites. The ordinance that adopted the project studied five additional sites for plan map changes. Essentially what happened you heard hearings and you heard suggestions for other sites that had not been considered up to that date. Because the council was interested in acting quickly for the sites in the pipeline you moved them for future action and asked us to do more engagement and analysis. We bring these back today for our recommendations on those five sites and I will turn it over to JP to talk more specifically.

JP McNeil: Thanks, Eric. Good afternoon Commissioner Rubio and Wheeler and Commissioners. For the record I'm JP McNeil with the bureau of planning and sustainability. I'm going to attempt to share my screen. Nod if you're able to see that?

Wheeler: Yes.

McNeil: We're here to talk about expanding opportunities and affordable housing option b. He covered the how we got here portion of the project. This is the second part of the -- of the first phase. There's a package of zoning map, zoning code, and comprehensive plan maps changes through that project. 19 sites were rezoned through that project and we are looking at 5 additional sites. This fall and the fall of 2020 Eric and I conducted some targeted outreach tailored to each site of those 5 sites. We engaged with property owners, neighbors, testifiers that were interested in these sites and other stakeholders we identified. We had direct communication and 1:1 meetings with folks and met with the infrastructure bureaus. We had 4 community meetings, one site we didn't, but I'll get to that later. All via zoom. We were able to

March 3, 2021

discuss the proposal and hear concerns for and against the proposals. Out of those meetings we developed our report and recommendations and shared those with the stakeholders that were participating in the meetings. Got comments from them. Public notice was sent to residents last January and February and here we are today at the hearing. What I'm bringing to you now is the analysis and recommendation on those 5 sites. Here is a map of where they are located. 3 are in inner NE Portland, one is Tabor Heights United Methodist Church and the Robison Home is in SW Portland. The first site, I'm going to describe it to you. It's on the corner of NE Knott and Rodney in the Elliot conservation district. It's currently developed with the St Philip and Deacon Church. There is some parking and one of the properties on the east side is a single dwelling home. The hatched area is the church and the non-hatched is the single dwelling home. The current zoning is RM1, it's a lower density multi-dwelling zone. The proposal is to go to CM3, which is a mixed-use commercial zone, which would also get the D overlay, design overlay, which generally CM3 zoning also has the D overlay placed on it as well. One thing about that site, including the church property and that property to the east that has the house on it, and the reason for that is that -- for continuity and the zoning and the zoning map, we generally don't want to leave an orphan parcel with one single designation. We would rezone an entire block face that has adjacent zoning. For consistent purposes that's brought in. So of all sites that we're talking about today, this is the most advanced development plan for the site. The property owners, the church has applied for bond funding and we'll hear more about that during the testimony and my understanding of their proposal is they would like to redevelop the site, possibly maintain the church on one level of the new structure and build affordable housing that would benefit long-time residents. In our outreach, we heard support from neighborhood associations and neighborhood interests and those working on affordable housing. We heard no opposition to the proposal. There were no serious infrastructure concerns raised by city bureaus. This is the extent of housing opportunities housing project to development affordable housing on community based organizations. Recommendation for this one is to rezone it to CM3. Any questions on that one? I will move on. The next site is the Mississippi site. This is two properties zoned R2.5 and is lower, a higher density zone. It is the corner of Mississippi and Prescott. And so the northern property is developed with a house that is currently in use. It is a rooming house separated from a long-time resident who has inherited it from family and she rents out to folks that are impacted by displacement in the neighborhood. The other property to the south is a house on a single dwelling unit. That is the property that we're all seeing. And just back for consistency sake, just so it -- it -- it wouldn't create an island of RM2 if this was rezoned in R2.5 zoning area.

March 3, 2021

The proposal would to rezone it. Low to mid density zones. The back story is that the owner of the rooming house requested the zone change to help her expand her community housing use on the site and apply for grant funding. She's been working to improve her site and apply for grant funding. That is contingent on the site being not a single dwelling zone. She's requesting multi-dwelling and it would enable her in the future to expand on the site for more affordable housing. Our recommendation is be rezoned to rm2. We heard testimony from a neighborhood association and neighbors and -- and micro enterprisers of Oregon that work with property owners as well to expand her use on the site. We didn't hear opposition. There's no infrastructure concerns. It is adjacent to mixed use. It is right next to what is happening on alvina and Mississippi to the south. This property is also consistent with the expanding opportunities for affordable housing to create more opportunities for affordable housing. Any questions or comments?

Wheeler: Commissioner Hardesty has a question.

Hardesty: Does this mean that because of the change in zoning this has to become affordable housing and the second end of that, what does affordable housing mean to you?

McNeil: In this case, as defined by the property owner, she says she's renting out 25 percent below market level. She's renting out to long-time residents at lower than -- than -- at lower rates. It is not in any way regulated or required but it is to help her continue to do that in expanding her use. It doesn't require any -- it doesn't require changes. It doesn't require affordable housing. It allows her to continue doing what she is doing and to more of it.

Hardesty: JP, if she woke up the next day after we changed the zoning and decided to sell it to a developer what would happen?

McNeil: Nothing would stop her from doing that.

Hardesty: And the developer wouldn't be tied to -- to our vision of housing that people could afford to live in?

McNeil: No. With any zone changes through the legislative process. We can't attach conditions. The properties are rezoned and council approves it, it is rezoned. Nothing that ties a future property owner. That's the case with all expanded opportunities with affordable opportunities. The rezone can only create has is allowed on the property with that zoning.

Hardesty: Last question before I get bogged down in details is could we -- could we put restrictions? I'm concerned that we're doing this for lofty purposes. There's in expectation or guarantee that this leads to housing that people can afford to live in, I become very concerned that we're just creating more hoop holes for developers that are not -- not -- not of good -- of

March 3, 2021

good -- of a -- that do not have a commitment to housing people that can afford to live in. I guess that's my question until we get through public testimony. That's -- that's a mistake that we made over and over again in our land use planning. I want to know what we as a council do to make sure when we change laws and we make it affordable, we're actually able to make it affordable.

McNeil: To answer your question, to my knowledge, there's in the any way for us to condition the -- this -- that this property or any properties are used for affordable housing. Under the land use laws we're able to do that. It is a concern. It will come up in the later properties where we're -- we talked about this wasn't any -- the property owner doesn't have a plan. That raised concerns and there's other properties that could have more conditions. You may not require affordable housing but may have infrastructure concerns. The larger question of how this city can acquire affordable housing on property owners is for the attorneys and council and how those changes can be made at a higher level.

Rees: Let me go to video. Commissioner, I think the way we typically have done it is either through the zoning code itself where we provide -- we provide incentives to provide affordable housing or we place requirements on a particular zone as a whole but we're doing this legislatively, it is not feasible to put particular conditions. Somebody went through a quasi-judicial map. And we could place those conditions on that change of zoning but not through the legislative process.

Hardesty: I think that -- last going to be a huge concern of mine because again, I think the properties that are presented to the city council earlier we with -- show some real promise but only if those organizations are the ones that -- that do the development that they told us they were going to do. Honestly, we can't afford to screw this up again. We continue to pass things that are supposed to provide affordable housing and it -- and it is not affordable. So, I just want to put that on the record as we move forward. Thank you.

McNeil: Okay. No further comments or questions.

Wheeler: I have a comment. Commissioner Hardesty raises a valid concern. We're balancing these issues. The way I look at had is slightly different. We're in a crisis and we have community organizations and institutions approaching us. They're saying if you meet us halfway, we can make something happen here that will get people off the street or lower income housing situation but the city can't do on its own but Hardesty is right in only -- it is only meeting halfway. Meaning, we're doing this and we're taking an act that is a bit of a leap of faith. We're assuming when the community comes to us and ask us to do something for supporting

March 3, 2021

vulnerable populations in the community, they're not going to screw us and they could. Hardesty is absolutely right about that. But in a time of crisis, we also have to trust that the institutions we're working with in this case would include faith institutions and it includes some neighborhood matters who have demonstrated a commitment to -- to this kind of housing historically and they've done so is without -- without either the blessing or the support of city of Portland. They've done it because they believe it is the right thing to do. But the Commissioner is right. These institutions don't last forever. It is very possible that at some point down the road, the good intentions that are -- that are being proposed here could in fact turn out to be an economic bonanza for -- for a profit seeking developer. I want to acknowledge that while I believe Hardesty is correct, I also believe this is an opportunity to show act of good faith and work with people and institutions in the community who want to work with us to help address a withering crisis. So that's how I -- how I have tried to rationalize the very valid points you raised. I appreciate you putting them front and center.

McNeil: All right. The segue to the next site, so Commissioner Hardesty, one more pony, the first two sites I've shown you were the only two recommending, staff is recommending a zone change on, and it is because both of them have some demonstration of good faith on the owners and some sort of a plan. The other one, not with efforts with other ones but they don't feel right or this is too much opportunity for something else to happen on the site. We felt that these first to, particularly somewhere with some they have a dialed in plan and they're moving ahead. Mississippi site is a community member who is doing good work on the site and wants to do more of that. We're taking that as good faith. The next site I want to talk about here is the cedar Sinai park site. It is also the ravenish Jewish home. It is a ten acre site in southwest Portland and owned by cedar Sinai park. They provide assisted living on those sites. It is currently zoned r10 which is a low density zone, then it has c conservation zone over it. The site is a small parking lot in the southwest corner. This is vacant area that is somewhat undisturbed and then the other area is walking trails for residents and Jewish home and neighbors as well. The proposed zone change would be to rm1 which is low are density dwelling zone. They don't have a specific site. They like to develop it for affordable housing for seniors and the site to the north and then maintain the -- the -- the environmental areas wood and forest and bucking trails. This site generated the most controversy from neighbors. It has infrastructure issues. The primary one being southwest boundary street here in the northern portion of the site. To the east of the site is a single dwelling zone area. It is -- it is a narrow local service street. It is not developed to city standards. There's no sidewalks. It currently functions as a cut through to strata road and that's

March 3, 2021

been a problem of the years for residents of boundary street and cedar Sinai worked with their staff and their vendors and employees and visitors to direct them not to -- to use cut through street to use 62nd avenue which cuts north and Beaverton he were to the north and where it gets cut off on the north of the top of the map there. Despite that, this is efforts that still been a problem and the maybes been upset about for years. Lost no traffic analysis or impact studies on boundary street. That's something that pbot would want to see before there's a redevelopment or rezoning of the site to see what is going on. Boundary street to address concerns about cuts in traffic or improvements in the streets which the neighbors are not too keen on. There's issues around the boundary street piece that need to be addressed and studied. There's transportation perspective, Gilcrest court comes up on the southeast portion of the site. Typically about ebob would want more to connect to the grid. It cuts through the c overlay and pbot wants more opportunity to study that in ways that benefit. There's more work to be done around that. This is the bureau of environmental services that had concerns about storm water management on the site. So beyond the infrastructure concerns we heard from the neighbors as I mentioned about boundary street and the concerns about the lack of specificity of a proposal and what Commissioner Hardesty was saying and could be rezoned and this is nothing that ties cedar Sinai to affordable housing. That was a big concern of the neighbors as well. Also with the environmental zoning on the seat and the forest and the trees they're concerned about damage to that. We met with neighbors and came to the conclusion that rezoning this proposal would be better addressed through the quasi-judicial process and it goes through development services and going through that process, there's a number of criteria that need to be met for the rezoning -- for the zoning to be -- to be amended and in order to do so, they would require conditions of approval to make sure that those criteria are met. It is a bit more stringent and allows us to attach conditions of approval for transportation concerns or -- or what not. So that allows more input and -- and mitt -- mitigation for the future of the site. We maintain the r10 zoning and the applicant if they like to pursue the proposal for afford senior housing can still do so but he should come through the quasi-judicial procedure which is the typical procedure especially in this case, just one property. When you're looking at one property that would be per zoning map amendment would go through the quasi-judicial procedure. We think that, the better option in this case.

Wheeler: May I ask what the proponent's response to that suggestion was?

McNeil: The proponents were disappointed. They hoped to see this move forward. But I think they're aware -- they've been through. They developed. This was some [indiscernible] and

March 3, 2021

they've gone through the land crews process and that and conditional cruises for those sites especially r7. manor and had to go through use for that. It may be possible to do more through condition the use or other options. I think they would prefer to have gone through this process and it would have been a cleaner and moor straightforward process for them. I think they're aware of their options.

Wheeler: I appreciate that. Thank you. They're outstanding institution. I figured out I would stick it out either way.

McNeil: Thank you. Any other questions on this? Moving on here, to our legacy site. This is a full block site between north Vancouver and north Williams and south of Dawson park in the Elliott neighborhood. It is owned by legacy health system, part of they're legacy system. It is currently developed with systems. It is the campus institutional zone. That's part of their larger campus. So report and contacts if this site is the to blocks to the site were rezoned to -- from -- from campus institutional to the -- to the tm3 zone with the first phase of this project. Has is why -- why it is undeveloped and if they return to the community, it will be redeveloped for community uses and it is now under community control through the Williams and Russell project working group. It is important because it is adjacent to the site and to the south. The testimony for the first phase of this project, their concerns and their -- what they raised, what they articulated why they like to see this rezoned, as it is it is not well with integrated with the neighborhood and Stanton street across from Dawson park with the medical office building doesn't have a lot of street activation there. This is not an active use. It can -- it -- this is safety concerns and crime concerns along that. So they would like to see the site redeveloped to create more active uses on north Stanton street that would activate the street space to maybe ameliorate those problems.

Wheeler: I'm sorry I don't know this. But does ci2 preclude housing?

McNeil: No.

Wheeler: What is the advantage of rezoning?

McNeil: That's where I'm going. First of all the property owner doesn't support it. Where we landed on this where we met with the property owner and the neighborhood, the rezone by itself doesn't achieve any -- doesn't accomplish any of what the neighbors would like to see. Because essentially you could do similar housing development in the ci2 zone as in cm3. This would be symbolic and it wouldn't actually get to the ends that -- that the end the neighborhood association would like to see. Rezoning, it doesn't trigger anything different on the site. More does leaving it preclude them from doing significant. When we met with the stake holders we met with the Williams project group and understand folks and legacy and we landed

March 3, 2021

on what you came to Mayor, is that rezoning the site doesn't accomplish what they hoped it would. For that reason we're recommending the -- we maintain the existing zoning on the site. Property owner doesn't want to see it. It is part of their larger master plan. Campus. They don't want to fill up the site and it as you noted it doesn't actually get to the desired result. We're recommending maintaining the zoning.

Wheeler: Thank you.

McNeil: Any other questions or comments on this site?

Hardesty: I was going to ask you a question but you answered it. But you made me think of one more. Nothing is actually advocating what legacy that they in fact make the site something the community will find useful. Is that accurate statement?

McNeil: There's nothing that stops it. Legacy could redevelop this site in different ways. There's nothing that says they can't. It is a merit, outside of zoning issues it is community working with partnering and trying to find.

Hardesty: Thank you JP, I wanted that on the public record. Right? Legacy wants one thing and community wants something different. We hope the community comes together and creates something more spectacular.

McNeil: All right. Moving on. All right. So the final site is -- is tabor heights united Methodist church. And pardon me if you can hear that noise in the background, my dryer ended and nobody home to stop it. It keeps going bee bop. I don't know if you can hear that?

Hardesty: We are.

Wheeler: I wondered what it was. I broke another appliance, so thanks for fessing up to that.

McNeil: Deal with it for a few more minutes. This is the last site. So tabor heights and Methodist which is zoned r5 and medium single dwelling zone and occupied by the church parking lot and then there's a grassy area on the site as well. The proposal would be to rezone it to rm1 which is low density multi-dwelling. But so this -- we didn't have a meeting with the community before. We didn't get to that stage. What happened with this one it was nominated in the testimony for the previous state of the project and -- and the -- the property owner had no awareness. The person that nominated it didn't want to stand by it. And the property owner, when I contacted them, this were tentatively interested in the zone change but they had no man plans for the site. There's nobody really advocating for this rezoning proposal. The nominators neighbors stepped away. The property owner is not motivated to rezone the site. They don't have a plan for it. Our recommendation is to maintain the existing zone since nobody advocating for this and there's in proposal. Any questions on that one? That's it for the site. In terms of testimony, yes. An hour or

March 3, 2021

two ago we had 18 pieces of wren testimony as a council. As of yesterday there was testifying and this is maybe more than that, that's what we find out. That's what we're hearing back from close and that concludes my presentation of our recommendation. Unless there's further questions. I turn it back.

Wheeler: Colleagues any questions or alternatively, I ask if there's motions and move them and second them to put them on the table so people can refer him to discuss them in public testimony and we can talk about them after public testimony.

Hardesty: Was this a request to add an emergency clause?

Rubio: This -- this was requested and we're going to do that next week.

Hardesty: Got it. Just checking.

Wheeler: Any other amendments that anyone like to put on the table? Let's hear from people that signed up from public testimony. How many people do we? I heard two.

Clerk: Mayor, we have three people.

Wheeler: Great, call up the first one. Three minutes. Name for the record.

Clerk: First we have Maria McDowell.

Wheeler: Before maria jumps in, I want to remind anybody that might be testifying today as lobbyist must declare which lobbying entity they represent in accordance with title 2 of the city code.

Maria McDowell: Good afternoon, Mayor Wheeler. My name is maria mc dowel. Before you is a recommendation from vps to zone 120 and 130 from rm to c13. I ask you make it an emergency declaration. I understand that will happen next week. I like to simply highlight that -- that this is extremely important for our timeline. That you vote to approve this zone, if not today, certainly next week with immediate effect. This will actually enable us to complete our lift funding on 25th of this month. In may of 2020 of the expanding opportunities has happened. We have long support of black community and we're partnering with pcri and urban league of Portland and the project to welcome or elders home. We're excited to work with these partners on this new project. Together we want to build a scattered site development that will have 120 units to our black elders. We're considering 100 percent, 30 percent or lower in the high, in that housing. St. Phillip, we will welcome are the elders named after al cina. As the first priest ordained in Oregon and principal of Jefferson high school it will stand next to the community center as a testament to black elders who have committed themselves to the community. We need your immediate vote. In may last year, this council required the zoning hearing process and returned to the council in September of 2020 with a recommendation. Covid and a summer of civic

March 3, 2021

resistance turned all processes in to quagmires. We it indeed have our neighbors for which we're grateful. Thank you, eric. After performing diligence, they're recommending has they be granted the request. Our deadline for applying is at the end of the month. We need you to join us as partners in welcoming the elders by approving the f zone by immediate effect. If you could approve it today that would be wonderful, on the tenth, it would be excellent but you would bring the significant first step. Thank you for your time.

Wheeler: If we're put at ease, the emergency clause was adopted today or next week it would have the same effect. If we get the emergency clause next week that would work within the timeline.

Clerk: Next up, we have Carl Braginsky

Carl Braginsky: Hello my maim is Carl Braginsky.

Wheeler: Carl, you may have muted yourself. Can you unmute and start over?

Braginsky: Yes. I'm calling on behalf of St. Phillip the deacon church and -- I can't think of a more worthy project and the Commissioners of our city. St. Phillip has longed served the community. In a new format and -- and meeting the seniors of other communities as well as the -- as the black community overall. So I appreciate your support of this. I hope you all provide for the emergency authorization for the up zoning very shortly. Thank you very much.

Wheeler: Thank you.

Clerk: Next up, Trisha Patterson.

Wheeler: Hi, Trisha.

Trisha Patterson: Hi, good afternoon. My name is Trisha. I'm here on behalf of Portland neighbors welcome. We testified in expanding opportunities for affordable housing which creates creation of more affordable homes on community based organizations. We believe these organizations are -- are important partners in insuring that affordable homes have available in all neighborhoods in Portland. As council has the opportunity to built on the foundation of this project by rezoning five sites that were identified in public testimony. For sites one and two, we support the staff recommendation to rezone and provide future residents access to high opportunity neighborhoods with community support. For site number three are, we -- we recognize the inequitable and racist history that has led this site to be condemned by the city displacing black residents. We believe this is a key part in righting those wrongs we encourage the solution of the black redevelopment process. For four, we disagree and we support rezoning the site as there's a pressing need for affordable housing in southwest Portland. We believe the city has the tools to mitigate the traffic concerns. For site five, we think this is a great opportunity

March 3, 2021

if affordable housing, we agree with staff that the owner needs to be an advocate for the rezoning to occur. We appreciate the ongoing work of city council, of the planning and sustainability commission and the bureau of planning and sustainability to address our housing crisis. Thank you for taking testimony.

Wheeler: Thank you. Thank you, we appreciate it. Thank you for your specificity.

Hardesty: Mayor, I had a question for Trisha.

Wheeler: Tricia, you still there?

Hardesty: I think we may have lost her.

Patterson: I think I'm here. Sorry. I was on mute.

Hardesty: I was like, god she's gone. Thank you for your testimony, I was curious about the number four item that you disagreed with, the bill and planning and sustainability. I agree we need more in the southwest but as we heard, originally that property owner in what could be challenge if this project moved forward. I'm curious why you say the African American community is supportive of number four.

Patterson: I don't believe I said that. I said that for number three. Number four, I said we disagree with staff recommendations. And our reasoning was southwest is under served for affordable housing. It is near frequent transit service and it -- it is a high opportunity neighborhood. It is an up and coming neighborhood that needs affordable housing. But to -- it be encouraged council to follow the lead of the black community for site number three.

Hardesty: I mixed them up. Thank you.

Patterson: You're welcome.

Wheeler: The next individual, please.

Clerk: Sorry. That completes testimony.

Wheeler: All right. Very good. Then this is the opportunity for council discussion. Colleagues? I'll put in my word. I agree with what Trisha said, she gave a levelheaded appraisal. I will take the lead of the Commissioner in charge on the question with regard to number four. But I agree with Trisha, number five is curious to me. It is hard for me to understand why it is on the list if the property owner is in the being an advocate. It sounds like somebody else proposed that property on behalf of the property owner but the owner is lukewarm which gets us back to Hardesty's point earlier. I would be circumspect about number five and I would be open to cedar Sinai and item number four as Trisha had proposed if for no other reason I trust the institution and they have a record that would be both honorable and effective in terms of their efforts there. Again, I'm not as close to it as the Commissioner in charge. I think the Commissioner in

March 3, 2021

charge, I would be inclined to defer. One and two, I think are -- are -- are are -- are very clear. They're clearly within the -- within the goals that have been established. I appreciated those comments. Commissioner Hardesty and Commissioner Rubio.

Hardesty: I'll defer to Commissioner Rubio.

Rubio: I was going to say something else. I will say that -- that we will definitely take moat of your interest and we'll go back and -- and do a -- a [indiscernible] and talk to the staff.

Wheeler: Excellent. Thanks.

Hardesty: Thank you. Mayor, I was going to say I think the staff did what we asked them to do. We asked them to go back, work with he's community partnerships and come back with a clear man and but I remember clearly the conversation about -- about -- about the number four, which was the community felt that they could not build a good relationship with the institution that wanted to build housing. It will never work if they're not working with the community to build something that is actually mutually beneficiary for the community. I agree with the testimony that I heard about the desperate need for affordable housing in southwest Portland. Since we can't make people build housing that people can afford to live in. 80 percent is not affordable for working people in our community. So I'm concerned that the more we change land use law with the hope that folks will build affordable housing that we'll end up going what have we done? 100 percent support the two that staff are recommending. And -- and open to seeing whether or not southwest a created new community partnerships and their desire to build this property.

Wheeler: Commissioner Rubio.

Rubio: Thank you. I just want to make sure to thank our community partners that were involved in this -- in this whole process. Projects like this allow our community leaders who are experts to truly engage. So I look forward to seeing that again next week. I also want to thank BPS staff for their work on this.

Wheeler: Thank you. Any other comments.

Clerk: Mayor, I'm sorry, we have one more person to testify. Is that okay?

Wheeler: Yes.

Clerk: Thank you, Ravi Reddy.

Ravi Reddy: There was confusion, I'm a neighbor and I'm three, four blocks from the cedar Sinai east lot is. It is used for walking street for many elders on the homes located there. Building equitable affordable housing is very important and very -- very near and dear to my heart. It has been a challenge to address issues, both traffic and just -- just -- just having them respond to

March 3, 2021

requests or having a good -- good conversation and neighborhood association has been trying to establish that relationship and build it to the point of constructing multiple good neighborhood agreements. They haven't been as -- as equally met by both parties. And every instance that -- it -- we being -- we being the stepchild, versus a granddad. The relationship is not equal, they have more of a power dynamic. That's the major issue that we're dealing with, with you recommending this site, Mayor. The reason I understand csp is -- is -- has been around forever. They have run complexes downtown and here and they're a good maybe. But not with this good neighbor. Not with the neighborhood that they're so -- so close to dealing with. That's the major issue that we dealt with on this purpose. The next part I want to bring up is the way -- is the way that -- that the csp actually communicated this whole project of the neighborhood was not transparent. It was never really are brought up to the neighbors. It was sprung upon a week before May 2020. I'm touching on major aspects that we dealt with in the last year to come up to this today.

Wheeler: Thank you for that perspective. I think I heard, just so I have a clear understanding of your intentions. It sounds like you're not opposed to the idea. Your objective is the process and you feel people's input was not taken into account and you have not respected and the interests were not respected. Is that fair interpretation?

Reddy: The gist is that -- we would want to build -- we agree they need to have more affordable housing. We agree with that but without a proper man, it puts everything at an anxiety level that is relatively high, when you have -- when you have the rest of the street that is essentially, you know, small families and then the idea of building -- of building 700x number of flats is what caused everybody concern and without a proper plan before that was proposed.

Wheeler: I appreciate it. Thank you for the clarification. I understand, and thank you for being able to share that. Further comments or questions? At this point, thank you to everybody that provided testimony, the record is now closed. I would ask if anybody has any questions of staff or -- or if this has inspired amendments that anybody would like to put on the table today. Hearing no further questions or statements, I want to thank staff who worked very very hard to prepare this proposal and to help had facilitate the creation of more affordable housing in Portland. I want to thank the many folks who submitted testimony to the planning and sustainability commission for the coalition numbers who are changing our neighbor's rules to make Portland more inclusive and accessible place. We will reconvene to continue this item on march 10th, at 2 p.m., time certain. Commissioner Rubio, I give you the last word.

Rubio: Grateful to staff and looking forward to these come to fruition.

March 3, 2021

Wheeler: Awesome. Great. Thank you. That completes that item. Keelan, the next item? Item number 137. Please.

Clerk: Waive Portland zoning code requirements for the ground floor/first floor of buildings located in the design overlay zone for the installation of lighting and security gates on exterior facades during covid-19 emergency.

Wheeler: I mentioned the term green suits in quite a few recent conversations. Portlanders are ready to reemerge from a long winter of uncertainty and appropriate but difficult restrictions on daily life. District restrictions are beginning to ease and store fronts and restaurants are starting to reopen. We're seeing hotels expand and new so far as are opening and making plans to open in the city. While we're for the returning to normal, we're on the process, the path to returning to normal. Families are getting ready for kids to return to school. A better 2021 is drawing us back to each other in both safe and careful ways. Both literally as well as figuratively spring is arriving in Portland. There's a long way to go but we're on our way. We identified economic recovery as a top priority for the city of Portland. The action before us is one piece of the puzzle as we work to lay the foundation for a strong and sustainable recovery for our community. In had it emergency we're called upon to be creative and nimble in support of the businesses. It is part of the same ecosystem and every part of our social and economic fabric must be healthy. I want to thank rebecca esau and dan Ryan for partnering with us to bring this item forward. I want to thank you and take it away.

Ryan: Thank you. Our city was quick to act when with covid-19 forced businesses to shut down in the spring and last fall. One reason our city and state is doing really well compared to others on a public health stan pony. Our businesses have been nimble. We need to match that with a swift response to help the businesses reopen safely. One up to three priorities is breeding life into that commitment. We need creative ways to quickly allow businesses to make safety and security improvements including awaiting design review requirements. The review process in Portland adds tremendous value to our space and street speas and our way of life and our commercial districts. It is a factor on why Portland is so attractive. During an emergency, some may immediate to be examined of temporarily relaxed. There may be a waiver of design review for exterior lighting and businesses for covid-19 emergency. I would like to thank the talented and dedicated staffers at business development services led by director esau for putting this ordinance together and their flexibility and giving us an opportunity to be nimble with how to help businesses get back to work. I must add they worked nonstop over the holiday weekend. I want to thank Montez, my team, she's been a leader and also to thank Sonya and Amanda on the

March 3, 2021

Mayor's staff per your collaboration. With that I turn this over to matt from bbs to explain this. Take it away.

Matt Wickstrom: Thanks for having me. Could the council clerk please share the presentation? Thank you. Like Commissioner Ryan said, we're presenting an ordinance on safety and security today. Next slide, please. Mayor ted Wheeler executed a declaration of emergency on March 12th, 2020. That has been extended every two weeks since then. The purpose of the Portland seasoning code is to implement the comprehensive plan and land use mans in a manner that protects the health and safety and general welfare of Portlanders. The covid-19 emergency has had an adverse effect on the health and safety and general welfare of Portlanders. Businesses have been impacted as a result of required temporary closings, reductions in customers, reductions in pedestrian activity and operational modifications. Next slide. Further impacts on Portland businesses include a steep increase in vandalism. It increased from march 2020 to November 2020 according to it an Oregonian report based on Portland police bureau statistics. Regulatory increased 22 percent during the same period. And vandalism events have been reported in all commercial districts including southeast avenue, and northeast Alberta and northeast Martin Luther King boulevard and 82nd after and the Hollywood district. Meanwhile pedestrian counts have decreased. Portland business alliance and safe increase reported increase in activity from December 2019 to December 2020. Others reported significant decrease in pedestrian activity. Decreases in pedestrian activity are among the decreases. Insurance premiums have been reported. Store fronts and vacant businesses are a common site in Portland. Most of Portland's commercial districts are located in the design overlay zone. This means making improvements may require approval through design review, prior to applying for building permits. The design review process like Commissioner Ryan said is an important way to promote the concretization and enhancement and vitality of distinct places in Portland. However it could add weeks or months to the process of -- of obtaining a building permit. During an emergency such processes may need to be evaluated as to whether they add value, as to whether the value they add is comparable to the needs of the time. City of Portland has created crowd design. It includes natural surveillance which is eyes on the street, territoriality and control and -- and represents clear entryways and other -- other features to discourage access to unwanted areas or -- or -- or avoid creating spaces where people cannot be easily observed. Activity support, promoting activity uses and pedestrian, and event activity, management and maintenance through keeping maintenance up to date and promoting corrections when -- when -- when damage occurs. Many principles are accomplished through

March 3, 2021

mechanical measures such as lighting, locks, security cameras and gates and fencing. When pedestrian activity and natural surveillance opportunities decrease the need to look at mechanical measures can increase. The city has a number of policies regarding the environment and eliminating blank walls and storefront windows and requiring active ground floor uses. The goals are to provide a pleasant pedestrian experience by protecting activities occurring within a structure with the pedestrian environment. As far as the ordinance goes, the ordinance as was mentioned would waive design review. The lighting must be directed downward toward the sidewalk parking area or other exterior area. Appropriate fixture include goose lit lights and no lights that project upward above the ground first floor are allowed. The ordinance would also waive design review for security gates. They must be of the open grill variety and be 70 percent transparent.

Wheeler: Can I interrupt for one second. Are we on the original slide or are you thinking the slides are changing?

Wickstrom: Oh, mo. We're on. Thank you very much.

Wheeler: If you go back. We're looking at the business impacts continued. I like to see the others.

Wickstrom: Slide four, please.

Wheeler: Thanks.

Hardesty: I think you may want to slide forward quite a bit. Could we see slide three?

Wickstrom: Yes. Okay. So this is -- this is the slide that we covered when I was talking about vandalism increasing in Portland. Next slide, do you want me to just start the presentation again?

Wheeler: No summarize.

Wickstrom: This is -- this is the slide about -- about -- about vacant storefronts and vacant businesses. Thanks. This is the slide -- the next slide, I'm sorry, I keep doing this. Next -- previous slide, please. This is slide about city policy related to sepdid and other issues. Next slide. This is a slide about -- about waiving design review for exterior lighting. The photo is example of the gooseneck light. Next slide, please. This was the slide that I was just on. Thank you Mayor Wheeler.

Wheeler: Thank you, I appreciate it.

Wickstrom: The -- the ordinance would waive design review for security gates. The gates must be of on grill variety and 70 percent transparent. He must be behind an awning or must be matched. It is important that temporary security fencing such as that surrounding apple store

March 3, 2021

while they address windows is not addressed by this ordinance. It specifically says that security gates are only allowed over the entrances. They're on any window associated with the main entrance, they're allowed -- this ordinance is not allowing them on standalone windows. Next slide. Finally, this ordinance does not apply to historic landmarks or contributing structures and historic districts. It will expire when the declaration of emergency is no longer in effect. At that time security measures installed as part of the ordinance will be considered nonconforming. The ordinance also states that the Portland zoning code none conforming update requirements do not apply to this. They will bring a follow-up ordinance to city council to address the uses and allowances for businesses during the covid-19 emergency. That concludes the presentation.

Wheeler: Very good. Thank you. Any questions at this point? Seeing none, public testimony?

Clerk: Yes, we have five people on the line to testify.

Wheeler: That will inspire questions. Call up the first person three minutes each.

Clerk: First Ivana Montez.

Wheeler: Welcome.

Clerk: Are you able to unmute?

Wheeler: The second person while Ivana tries to come on.

Clerk: Next up we have Amy Rathfelder.

Wheeler: Hi, Amy.

Amy Rathfelder: Can you hear me.

Wheeler: Good to go.

Rathfelder: So good afternoon, members of the council. I'm Amy, and I serve government affairs and I'm here on behalf of pba for strong support of this and the building in the design overlay zone for the security gates on the exterior facades during a state of emergency during the opposed pandemic. I'm sure most of you know this is due to the chamber and the employers in the region. They advocate to create opportunity and advanced well-being for those that work in the region and to support healthy and resilient ecosystems. We're proud to represent more than 2,000 members from 27 counties and 13 states and every industry sector, more than 80 percent of our members are small businesses. I am sure you're aware that the business community has been hit extraordinarily hard in the last year with the dual crisis of the pandemic and the violence in the Portland area. We move into reopening our city's doors, it is important that cities can adopt security measures that allow employees to return to work safely. The current permitting and design review process for businesses located in the central city and subject to the design overlay zone requirements can take over 100 days which is about 3 1/2 months to

March 3, 2021

complete. While we appreciate the swift action being taken here to allow if expedited approval while we were in the COVID emergency, we strongly encourage council to take actions on this permanent. Waiting more than 100 days is far too long for business and property owners to get approval for improvement projects especially at this time. If we're interested in a new normal and creative problem solving, we need to generate more of this. Thank you Mayor Wheeler and Ryan for understanding this issue and actively working to solve it and council as a whole, for beginning the critical work in the bureau that would eliminate the current delays and get our city on the road toward a positive recovery and reopening. Thank you all very much.

Wheeler: Thank you. Next individual.

Clerk: Ivana Montez again. Are you able to unmute?

Wheeler: If you're on a phone, try star six. Star six. Let's move on to Jessica.

Clerk: Next up we have Jessica Curtis.

Wheeler: Wait, Ivana you just got on are you unmuted? Jessica are you unmuted. Keelan I'm going to let you do your job.

Clerk: There you go, Jessica.

Jessica Curtis: Good afternoon, Mayor Wheeler and members of the council, I'm Jessica Curtis. I'm here today both as Portland native that is interested in the future of my hometown as well as on behalf of the shipping center and the property. I like to spread support for item 27 which would waive requirements in the overlay zone. This is a longstanding community. And many customers and consumer brands and businesses and many downtown businesses and we could fully recover from the impact of the pandemic and the perception of the citicorp. The current design review process is over 100 business days and in our current situation, that time frame has considerable obstacles working for the zoning and back. And we're thankful for the long-standing development of passing this ordinance and expediting the security measures in order to fully reopen during these extraordinary circumstances. Thank you, Mayor Wheeler and dan Ryan for the conclusions and for considering the emergency ordinance and doing your part for Portland in positive ways.

Wheeler: Did I read recently a new Gucci store is opening there, is that correct?

Curtis: We did. We opened Portland Gucci store in early February.

Wheeler: Obviously they opened the stores with their eyes wide open having seen the same national stories that we saw. I would gather their opening here suggests that they see a positive environment going forward. Would you agree with that?

Curtis: It would. The developer, most definitely, for these conversations were had long before

March 3, 2021

covid. However, their opening and they're helpful to the future.

Wheeler: Thank you for testifying today. We appreciate it.

Curtis: Thank you for having me.

Hardesty: Mayor.

Wheeler: Jessica, if you are still there are, Commissioner Hardesty had a comment.

Hardesty: Thank you Jessica for your testimony. I'm curious you quoted as assistant that -- that -- that pedestrian traffic is 82 percent down. Of course it is. And 99 percent of it is related to the fact that we close down for covid. I'm curious as to what with your expectations are as far as that kind of pedestrian traffic as we start emerging. Clearly we're not going to recoup 82 percent overnight. I'm curious what is the expectation about we pass this measure.

Curtis: We think 82 percent decline in traffic was -- was a result of an of a pedestrian count that was put on by the Portland business alliance and the Portland community. So last where the -- for the downtown area and for the downtown most highly trafficked corridors. I think as things continue to evolve with had had covid vaccination and the opening up of county wide, I think that -- that that will also play an impact on the recovery as well.

Hardesty: I couldn't agree more. I didn't want to give the impression that it had less pedestrians paw there was violence or fear of people being downtown. There's not much open at the moment. I think as we start to open with safety measures in place we will see more people walking about. I'm also looking at how do we make parts of downtown car-free so we can expect that we're going to be walking and skateboarding and biking and using other mode to explore all of the beauty downtown. Just wanted to clarify that for the record.

Curtis: Thank you.

Clerk: Next up we have Kristen Minor.

Kristen Minor: Hello Commissioners and Mayor. Nice to be able to testify today. With your permission I like to tag team with a design Commissioner Chandra Robinson since this is a joint response.

Wheeler: Go ahead. Is this total or you signed up separately?

Minor: We signed up separately.

Wheeler: You want to go back to that. Six minutes between the two of you.

Minor: Yes. Thank you very much.

Wheeler: Sure.

Minor: The Portland design commission and the Portland historic landmarks commission met in a joint session yesterday to discuss the ordinance before you today. Commission members

March 3, 2021

are -- are concerned about conditions across the city. Like everybody, we look forward to the end of the pandemic and the restoration of Portland's striving district and vibrant streets. We have concerns. This is not what this delivers. At best it delivers uncertainty and at worst it could deliver deliberate harm. Will people feel unwelcome, surveilled and mistrusted, will with Portland's people focus be irreparably damaged. We don't know but we do know that security measures need to be reviewed to protect the livability of the city for everyone and to protect already marginalized people of color. Rather than exempting review, we strongly suggest an expedited and -- and a low or no cost review. Commission members were in agreement that it is hurtful and not helpful to the recovery from covid-19 and the other host of conditions currently at play in Portland. We ask that you abandon this strategy that contradicts Portland's 50-year legacy of pedestrian focused planning that bypasses security enhancements that do comply with our development code and -- and that doesn't give due consideration to the people who will be injured by this policy but who haven't had the opportunity to -- to voice their concerns. I will have happened it to Chandra. Are you there?

Chandra Robinson: I am. Thank you. Thank you Mayor and council members. My name is Chandra, I'm a member of the Portland design commission. I'm here to convey the thoughts that the design commission came up with. To continue their many successful installations in downtown Portland their nature varies but have been vetted. To insure the character is maintained and enhanced. One of the strengths of the processes is alternative solutions are explored before modifications for our people focused public realm are installed. In the case of ground floor utility, best practices include retractable scissor gates and installation of riot glass or strong protective zones on window glass. Modifications sensitive to the architectural district. And modifications that are irreversible and those inside glass instead of outside glass and they're common and do not require design review. Work done in emergency is not done with the long-term impacts in mind. These will become grandfathered conditions that can't be compared with future design review and expense. That's in response to what we expect council to address before summer arrives will be permanent. While sanctioned temporary security measures with the sunset date for removal are allowed within the parameters of the zoning code, permanent measures should comply with the community standards. The mission statements of our two volunteer commissions tell us that we provide leadership and expertise on urban design and architecture and on maintaining and enhancing Portland's historical heritage. One of the duties in the zoning code is to provide advice and design matters to the hearing officers and the planning commission and city council. We're in service to you the city

March 3, 2021

council and in our capacity as your servants we ask you reject this policy and instead instruct members of the commission to work with the bureau to develop an alternative approach. We're really confident that the charges of costliness and the length of the timeline can be addressed within the framework of the Portland code. I think you so much for your time and for letting us present our -- our joint comments from the design review.

Wheeler: Thank you both.

Hardesty: Thank you for your testimony. Chandra, curious as to why you believe this temporary fix will be permanent? There's nothing -- there's -- the ordinance is clear that this will last as long as the state of emergency lasts.

Robinson: Thank you, that's a great question. When you look at the ordinance that actually says there's a sun set date and you can't have security measures without design review. It means what is installed becomes a nonconforming condition but there's no requirement in the code to actually change that nonconforming condition until you come in and say you're making renovations that require you to go through a bureau of development services. At that point your planner would tell you that you have to -- you have to correct any nonconforming condition at your property at part of your new project. What that means is these grills and lights two up, they will stay there forever until someone decides to make a renovation.

Hardesty: Thank you. That's very helpful. I'll say that cameras have been removed from this document. I had an immediate concern about that as well. But it has been removed. We're not considering cameras at all.

Robinson: Thank you for that clarification.

Wheeler: Commissioner Ryan.

Ryan: Thank you for that. I was going to add to it. We have one more person is testifying. Maybe I'll make comments. I'll say it now since I have your attention. I really want to thank the design commission for testifying on this issue today. I want to say it will introduce an amendment to remove the base language as referenced by Commissioner Hardesty and we heard the mention of bars on windows. Another common misconception, these will require design review. 40 years of design guidelines that require great transparency of had it ground floor which is why it requires open grill security gates with 70 percent transparency. I wanted to clarify this important issue.

Wheeler: Hardesty, did you have another comment? Very good. And Keelan, we have somebody else signed up.

Clerk: Yes, we have Michael Tillett.

March 3, 2021

Wheeler: Great. Welcome.

Michael Tillett: Good afternoon, Commissioners. I'm an architect and planner and urban designer. I'm testifying on my own behalf today. It would be a grave mistake to remove design review from street level frontages. They determine the quality and success of downtown streets. The storefront features all too often break the connection between sidewalk user and what is going on inside the building. The examples of zombie streets across the nation where such frontages proliferated. There's no eyes on the streets and the pedestrians feel vulnerable and attempt to avoid those streets. For the emergency period, the staff performed design review of frontage changes. This could result in a type three public hearing if necessary. In such instances the hearing officer may refer a complex case back to the design commission for resolution. It seemed very improved. Restoration of vitality to our downtown depends on attractive streets with active storefronts. Greater security for storefronts can be achieved sensitively without aggressive measures such as harsh security lighting and services. However, some will default to the extremes and unless given design guidance and control. Those will set precedence for others to follow. The permitting requirements will remain intact with the sole difference that the city staff will temporary administer design review of these particular frontages. City staff already are administered design standards and measurable requirements such as maximum height and setbacks and requirements -- the -- the proposal is that for the time being they also review quality of requirements which are typically the responsibility of the design commission. This is far too important to be left open to well-intentioned purposes. Please don't leave the code to 43220 and don't permit unregulated changes to our street and frontages. Thank you very much.

Ryan: Thank you for that. Colleagues, after receiving feedback from the officers and receiving concerns from the community members regarding language and crime prevention through environmental design or -- or others I propose amendment to delete findings in seven, eight, nine, ten and add the new finance to the sections. I have asked matt to come back on to read those amendments and I know they have been forwarded to the offices. Hello, matt, welcome back. I make one correction. We would replace with section seven, eight, nine and ten. I'll read those.

Wickstrom: Thank you. The city of Portland has adopted policy design guidelines and zoning code regulations related to creating and maintaining a positive -- this is -- this is -- this is section seven, related to creating a positive period vene environment in Portland. The city has adopted policy related to crime preventive design and that's policy 4.13 in the 35 comprehensive plan. This policy encourages building site and infrastructure approaches that help prevent crime.

March 3, 2021

Section eight would be the city of Portland has adopted policy related to the pedestrian environment. This is policy 4.21 if the comprehensive plan. This policy is in part accomplished through the Portland code zoning regulations limits bike walls on ground floor buildings. [laughter].

Hardesty: Scared me.

Ryan: We have had entertaining.

Wheeler: Give matt whatever he wants.

Wickstrom: The mail just came for the day. Okay. So I'll start reading section 8 again. Sorry about that. The city of Portland adopted policy related to the pedestrian environment. Policy 4.21 in the comprehensive plan. This policy is in part accomplished through Portland zoning code regulations limiting plane walls on the ground floor and first floor of buildings and requiring a percentage of storefront windows in ordinary to provide a pleasant, rich and pedestrian experience by connecting activities within the structure to the adjacent sidewalk areas. Section nine would read the central city fundamental design guidelines include a -- a -- a protect the Portland -- protect the pedestrian guideline to develop integrated identification and sign and sidewalk oriented night lighting systems that offer safety and interest and diversity to the pedestrian. That's guideline b2 property central plan guidelines. The community design guidelines include a crime preventive -- prevention guideline which is in part accomplished by providing lighting systems that include pedestrians. This includes development standards and it includes development standards to derive a more pleasant environment by providing large expanses of blank facades along the streets and code section 33133230. It includes regulations related to -- to ground floor active uses that is in code 43, 415, 200 and the pedestrian environment, 33, 130, 240. Thank you.

Hardesty: Do you need a second, Commissioner Ryan?

Wheeler: Commissioner Ryan has moved, Hardesty has seconded the amendment. Any further discussion? Let's call the roll on the amendment, please. [roll called].

Rubio: I'm happy to support this ordinance and specifically because of the removal of the problematic language and the use of cameras. I also want to highlight that there's a recognition among the colleagues that I had a chance to speak to about this, about the need to look at the references and moving forward and possibly find ways to address it where needed. I directed my staff to have this conversation where appropriate. Thank you. I vote aye.

Ryan: I want to say working through Chariti Montez and Hardesty's team has been just really good example of in spite of this virtual crazy stuff that -- that we have to manage, it was very

March 3, 2021

nimble and it was very focused and I -- I -- I just want to acknowledge that was good government. I can't thank director esau and her team enough for -- for -- for really focusing on this and treating it as an emergency and showing that this is a city that works. And we're going to do all we can to -- to -- to you know get the currency flowing and open up. I vote aye.

Clerk: Hardesty.

Hardesty: I also want to thank the Mayor and Commissioner Ryan, this -- this ordinance has gotten a lot better, and I'm very grateful that we incorporated changes based on what we heard including the change that was just -- just was adopted by us today. I think good intentions can lead to bad outcomes. This is an opportunity to listen to other voices and incorporating them in gives us much better public policy. Happy to vote yes. Aye.

Mapps: Aye.

Wheeler: Thank you for your exceptional work and my colleagues to shape this. I'm mindful of what the -- what the testifiers had said about the proud legacy of design and design review in the city. I believe this has been crafted for our respect in the lived environment and the architectural integrity of our built environment against the urgent need for the city to quickly get back up on its feet and recover. That means not only insuring that we have investments being made in our community and -- a -- and but also confidence. We need to have our major employers and our major retailers and those that make the wheels turn in this city have confidence that this is still a place to do business. It is still a place to expand operations and still a place for people to want to live and work and play in this community and during this crisis situation, that means we're going to have to take innovative and unprecedented steps to respond to equally unprecedented times. So I -- I think this is very thoughtful. I'm happy to support the overall measure and I also want to acknowledge the amendment that we're voting on right now, I think makes a great deal of sense and it responds to the core criticism that was raised during the testimony. I'm happy to vote aye on this amendment. Please call the roll. [roll called].

Wheeler: Ordinance adopted. Thanks. Next up is 138.

Clerk: Bureau of environmental services to acquire certain permanent and temporary property rights necessary for construction of the northwest aspen combined sewer extension project through the exercise of the city's eminent domain authority.

Mapps: Hello to my colleagues. We have a proposal that comes out of environmental services and of course environmental services involves sewer and storm water selection services to meet the city's current needs to protect public health and water quality and the environment. As part

March 3, 2021

of its nonconforming sewer program for all properties in the city, environmental services is building a 450 linear feet of combined sewer and connecting and connecting five properties in northwest Portland to build the project they have the temporary rights to three properties. Here with a presentation is the environmental senior engineering associate and Ellen Kilmer Portland's, with pbot. So at this point, maybe I could turn it over to Raechel.

Raechel Frogner: Good. Thank you. There's a presentation if the -- if the council clerk could pull that up. Thank you. Hold on. Here we go. Again, thank you, good afternoon. My name is Raechel. As mentioned we're here seeking temporary and construction easements for the project 10953 sewer extension. Next slide, please. So this project is part of the sewer conversion programs and bringing direct and individual service connections to -- to nonconforming properties. This will certify properties with nonconforming sewers and easements are necessary for the construction and maintenance of the sewer extension. The reason this is brought to council's emergency ordinance is due to the time constraints of the project due to geotechnical issues -- or concerns, this project will need to be constructed during the try weather window June and November and also to be sensitive to the ongoing construction in the neighborhood, we like to construct this project as part of the northwest street reconstruction and the project currently under way. Next slide, please. So here is -- here is what we're -- what we're after. The northwest aspen project will connect to the existing sewer on private property. If you look at the upper right corner of this image there's a purple dash line and that's the existing sewer that we intend to connect to. The blue portion of the extension is -- is -- is the -- is the -- is the portion that -- that crosses private property and is the portion that requires easements. Yellow portion is the portion in the right-of-way. I want to mention that the blue portion will be constructed using trenchless methods. We're minimizing ground disturbance on private property. We expect it to be 8 by 8 foot square where it is connecting to the sewer and this excavation will be done by hand. Next slide, please. So in order to do this work, we're seeking two permanent easements. The property lines are expected in the red dashed lines in that image. And then the new easement areas are shaded in blue. As you can see -- the -- yellow areas are -- are existing easements for public storms and combines sewer. Much of this area is already encumbered by existing easements. Next slide please. We're seeking two temporary construction easements. The terrain is pretty steep especially going down from northwest aspen. So access via 3454 is -- is -- is much more gradual and it is -- it is -- it is open space. So that is where we intend to access the connection. Additionally the extra space on 2024 for the additional easement there will be for materials. Next slide, please. So even -- even -- even -- this is largely dependent on the property owners and

March 3, 2021

these negotiations can begin with the approval of the ordinance. We anticipate them to be available during dry weather construction. Next slide, please. And in closing the approval of this ordinance gives property owners easement for the project. We have property rights for the owners and they have been invited to this meeting. If anyone has questions, we would be happy to answer.

Wheeler: Thank you. Any questions at this point. Any public testimony.

Clerk: No one signed up for this item.

Wheeler: Very good. This is emergency ordinance. Please call the roll. [roll called].

Wheeler: Aye. Ordinance adopted. Didn't matter how I voted it would be passed. Ordinance adopted. Thank you for an excellent presentation. Next up is 139.

139 authorize a contract with cherryroad technologies inc. For infor public sector licenses and software for an amount not to exceed \$4,060,000 over a five-year period **Wheeler:** second reading. Any further business on this item? Seeing none, call the roll. [roll called].

Wheeler: Ordinance adopted. Last item, 140.

Clerk: Authorize the purchase of 2.00 acres of real property at 35227 se carpenter lane in the amount of \$875,000 to be used for the bull run filtration project.

Mapps: Thank you, Mr. Mayor. Colleagues the Portland water bureau provides water to one million people. In 2017 Portland city council directed the water bureau to build a facility to comply with state and federal safe drinking water rules. As part of the project, the water bureau is asking council for approval to acquire a property across from the filtration site. This would help improve access to the site by developing a new entrance. Here we have water bureau director and Ben Gossett. Director, please.

Gabriel Solmer: Thank you so much. Thank you Commissioner. Good afternoon, Mayor and council members. I am Gabriel Solmer and project manager. Item 141 as the commission mentioned is purchasing two acres of property on southeast lane in the eastern county with a -- with -- with 175,000 dollars plus closing and relocation costs. Maybe for the benefit of the newer members this is for the project that council directed in 2017. The filtration project will be on city acres a you can see on the map here the larger filtration sites and the subject property above in red. This will allow us to re-access the site. What you can see there, the larger southeast boulevard which is just above the property on the map. So the owner of the property purchased the property with interest to sell and we completed appraisal with a value of 825,000. We updated that amount by 6 percent for increased value during the time between the appraisal and the closing date. As required under state law we'll also need to pay relocation costs. And you

March 3, 2021

may remember that the water bureau also purchased property to the east of the one we're discussing. Circling that. And we've been able to rent out the house on that property until the property is needed and we understood to do the same for that property. When we made that purchase we were at a point in design that we knew they were needed for pipeline access or ingress or egress from the site. And then we learned that no one property would be suitable for both pipeline access and ingress and egress to the site. With this acquisition we can proceed with the design. Just in closing, some benefits of moving forward with the authorization is to work with the lone star rather than eminent domain. It is costly and whereas working with the seller has cost control and design and time and certainty. Access to the project is a key issue that the neighbors raise in the process. An according to the property would help the water bureau advance. So I will pause there and see if there are any questions.

Wheeler: Not seeing anything yet. So why don't you go ahead?

Solmer: Well, I think that concludes my presentation. We are -- we are -- we are available but again this is a fairly straightforward with the seller.

Wheeler: Keelan any public testimony on this item?

Clerk: No.

Wheeler: Colleagues anything else on this item before we move it to second? All right. Wait, Commissioner Hardesty.

Hardesty: Thank you, I want to say to Gabriele it makes more sense to have rolling seller especially when you're so close to construction. I want to applaud the good work to get us through a mutually agreed upon settlement because that could get ugly and taken forever to have resolved.

Solmer: Thank you. I'll pass that along. We have an excellent team and -- and a very patient person that been working with us. I think this is the best outcome. Thank you.

Wheeler: Very good. Excellent. This is a first reading of nonemergency ordinance. It moves to second meeting. Colleagues, we're adjourned. Have a good afternoon.

Solmer: Thank you.

At 4:12 p.m., Council adjourned.