



**CITY OF
Portland, Oregon**

**Official
Minutes**

April 21, 2021

Date and time

April 21, 2021 at 9:30 a.m.

Council recessed at 12:25 p.m.

Officers in attendance

Keelan McClymont, Clerk of the Council; Karen Moynahan, Chief Deputy City Attorney and Ken McGair, Deputy City Attorney

Consent Agenda

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

Date and time

April 21, 2021 at 2:00 p.m.

Council adjourned at 2:51 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, APRIL 21, 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 April 21, 2021 Council meetings is April 20, 2021 at 4:00 p.m.

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

COMMUNICATIONS

252	Request of Melanie Plaut to address Council regarding Zenith Energy (Communication)	PLACED ON FILE
253	Request of Dr. Kelly O'Hanley to address Council regarding Zenith Oil Terminal (Communication)	PLACED ON FILE
254	Request of Ann Turner to address Council regarding Zenith Energy (Communication)	PLACED ON FILE
255	Request of Solomon Duke to address Council regarding Zenith Energy (Communication)	PLACED ON FILE

April 21, 2121

256	Request of Sophie Cash to address Council regarding Zenith Oil Terminal (Communication)	PLACED ON FILE
TIMES CERTAIN		
257	TIME CERTAIN: 9:45 AM – Appoint Jessica Lagunas to the Open Signal Board for term to expire June 30, 2023 (Report introduced by Mayor Wheeler and Commissioner Rubio) 15 minutes requested Motion to accept the report: Moved by Hardesty and seconded by Rubio. (Y-5)	CONFIRMED
258	TIME CERTAIN: 10:00 AM – Appoint Vincent (Walle) Brown and reappoint Richard Roche to the Mt. Hood Cable Regulatory Commission (Report introduced by Mayor Wheeler and Commissioner Rubio) 30 minutes requested Motion to accept the report: Moved by Hardesty and seconded by Mapps. (Y-5)	CONFIRMED
CONSENT AGENDA – NO DISCUSSION		
Mayor Ted Wheeler		
Office of Management and Finance		
*259	Pay property damage claim of Cody Williams in the sum of \$32,670, involving the Portland Bureau of Transportation (Ordinance) (Y-5)	190363
*260	Pay settlement of Dana Whitley employment lawsuit for the sum of \$45,000, involving the Portland Bureau of Transportation (Ordinance) (Y-5)	190364
261	Update salary grade for City Forester classification (Ordinance)	PASSED TO SECOND READING APRIL 28, 2021 AT 9:30 AM
REGULAR AGENDA		
Mayor Ted Wheeler		
Office of Management and Finance		

April 21, 2121

262	Accept bid of James W. Fowler Co. for the Carolina Trunk WZ-02 Rehabilitation Project for \$1,563,000 (Procurement Report - Bid No. 00001609) 15 minutes requested Motion to accept the report: Moved by Mapps and seconded by Ryan. (Y-4, Ryan, Mapps, Rubio, Wheeler; N-1 Hardesty)	ACCEPTED PREPARE CONTRACT
263	Accept proposal of Raimore Construction, LLC for the Outer Division Multi-Modal Safety Project for \$7,530,290 (Procurement Report - RFP No. 00001521) 15 minutes requested Motion to accept the report: Moved by Hardesty and seconded by Ryan. (Y-5)	ACCEPTED PREPARE CONTRACT
Police Bureau		190365 As Amended
264	Amend contract term with Versaterm, Inc. for application software support and increase compensation in amount not to exceed \$5,990,000 (Second Reading Agenda 222; amend Contract No. 30005161) Motion to extend the contract one year: Moved by Mapps and seconded by Ryan. (Y-5) Motion to require Portland Police Bureau to work with Technology Oversight Committee: Moved by Hardesty and seconded by Ryan. (Y-5) (Y-5)	
Commissioner Dan Ryan Housing Bureau		190366
*265	Authorize a subrecipient contract with Resolutions Northwest for \$150,000 for the provision of mediation services in support of stabilizing tenants (Ordinance) 10 minutes requested (Y-5)	
266	Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Analog PDX located at 1871 N Flint Ave (Ordinance) 10 minutes requested	PASSED TO SECOND READING APRIL 28, 2021 AT 9:30 AM
Commissioner Mingus Mapps Bureau of Environmental Services		190367
267	Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Sunnyside South/Ladd's South Reconstruction and Green Streets Project No. E10368 for an estimated cost of \$10,330,000 (Second Reading Agenda 243) (Y-5)	

268	<p>Authorize a competitive solicitation and price agreements for the urgent repair of sewer and stormwater systems for an estimated annual amount of \$2,200,000 (Second Reading Agenda 244)</p> <p>(Y-5)</p>	190368
<p>Commissioner Carmen Rubio</p> <p>Parks & Recreation</p>		
269	<p>Amend Management Agreement with Kemper Sports Management, Inc. for Colwood Golf Course for an additional seventeen months in the amount of \$2,500,000, for a total contract amount not to exceed \$6,179,013 (Second Reading Agenda 247; amend Contract No. 30005532)</p> <p>(Y-5)</p>	190369
270	<p>Amend Management Agreement with Kemper Sports Management, Inc. for Heron Lakes Golf Course for an additional twelve months in the amount of \$2,500,000, for a total contract amount not to exceed \$9,807,912 (Second Reading Agenda 248; amend Contract No. 30006422)</p> <p>(Y-5)</p>	190370
271	<p>Approve findings to authorize an exemption to the competitive bidding requirements and authorize the use of the alternative contracting method of Construction Manager/General Contractor for the Mill Park Construction Project for an estimated amount of \$7,500,000 (Second Reading Agenda 249)</p> <p>(Y-5)</p>	190371

WEDNESDAY, 2:00 PM, APRIL 21, 2021

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

- *272** **TIME CERTAIN: 2:00 PM** – Adopt the FY 2020-21 Spring Supplemental Budget and make other budget-related changes (Ordinance introduced by Mayor Wheeler) 1 hour requested
- Motion to increase bureau program expenses in Prosper Portland General Fund by \$250,000 for small business repair grants. The source for this request is requested carryover funding for the 3-1-1 project. Reduce policy set-aside by \$250,000 to fund this change: Moved by Wheeler and seconded by Hardesty. (Y-5)**
- Motion to decrease bureau program expenses in the General Fund in the Office of the Commissioner of Public Utilities by \$30,000 to be carried over into FY 2021-22 for temporary staffing support on a one-time basis. Increase General Fund policy set aside to balance to this change. Moved by Wheeler and seconded by Hardesty. (Y-5)**
- Motion to decrease bureau program expenses in the General Fund in the Office of Management and Finance by \$320,000 to be carried over into FY 2021-22 for staffing needs related to the recently adopted Council ordinance addressing gun violence. Decrease bureau program expenses in the General Fund in Portland Parks and Recreation by \$866,900 to be carried over into FY 2021-22 to ensure continuity of funding through December for the Parks Ranger program work supported by the Council ordinance addressing gun violence. Increase General Fund policy set aside to balance to this change. Moved by Wheeler and seconded by Hardesty. (Y-5)**
- Motion to decrease bureau program expenses in the General Fund in the Office of Management and Finance by \$3,900,963 to be carried over into FY 2021-22 to ensure seamless grant funding for community-based organizations reducing the impact of gun violence in our community. Many grant agreements are expected to be finalized this summer, requiring these resources to be available to fund the work in the FY 2021-22 budget. Increase General Fund policy set aside to balance to this change. Moved by Wheeler and seconded by Ryan. (Y-5)**

**190372
As Amended**

April 21, 2121

Motion to decrease bureau program expenses in the Bureau of Planning and Sustainability General Fund by \$750,000 to be carried over into FY 2021-22 to support a citywide cleanup project led by SOLVE in partnership with the City of Portland as part of the City's Clean & Green initiative. Increase General Fund policy set aside to balance to this change. Moved by Wheeler and seconded by Hardesty. (Y-5)

Motion to increase bureau program expenses in Special Appropriations General Fund by \$100,000 for grants to plan and implement community events that activate spaces across the City and the City's art-focused community healing initiative, with priority for BIPOCQ-led organizations and artists. This increase will bring the total amount of funding for these grants in the Spring Supplemental Budget to \$275,000. Reduce General Fund unrestricted contingency by \$100,000 to fund this change. Moved by Wheeler and seconded by Hardesty. (Y-5)

Motion to decrease bureau program expenses in the Office of Management and Finance, Bureau of Revenue and Financial Services General Fund by \$305,000 to be carried over into FY 2021-22 to fund future revisions and refinements to the City's social equity in contracting programs. Increase General Fund policy set aside to balance to this reduction. Moved by Mapps and seconded by Hardesty. (Y-5)

(Y-5)

THURSDAY, 2:00 PM, APRIL 22, 2021

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

April 21, 2121

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.

April 21, 2021 9:30 a.m.

Wheeler: Today is April 21, 2021, the morning session of the Portland city council. Good morning. Keelan, please call the roll.

Clerk: Good morning, mayor, and council. Ryan?

Ryan: Here.

Clerk: Hardesty?

Hardesty: Here.

Clerk: Mapps?

Mapps: Here.

Clerk: Rubio?

Rubio: 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. Of course, if you're watching this, you probably know that. 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. To conduct the city's business. With that, we'll hear from legal counsel on the rules

April 21, 2121

of order and decorum.

Karen Moynahan: Good morning. To participate in council meetings, you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. 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: Thank you. First up is communications.

Clerk: Item 252. Request of Melanie Plaut to address council regarding zenith energy.

Wheeler: Good morning, Melanie.

Melanie Plaut: Good morning. My name is Melanie Plaut. It rhymes with "sauerkraut." I'm a vaccinator at the Oregon convention center and I testify as a volunteer with 350 pdx. Apologies to the mayor and Jo Ann Hardesty I want to spend a minute on the history of zenith. I direct this to commissioner Ryan as bds can one action align itself with Portland residents and stop zenith bringing the crude oil trains to the neighborhood, storing the oil in huge tanks toward the park and sending it to the river via refineries and other states. You might ask why do those of us concerned about community warning and safety and justice hate zenith? Tar sands from Canada like thick peanut butter is as destructive as any fossil feud. The other product crude is explosive and it almost caused a tragedy in 2016 when a train derailed in Moser. Second, zenith was able to shrink in town due to a weak and siloed regulatory structure. The d.q. Air quality effort dates back to 2007 when they were handling asphalt and somehow still applies to a totally different operation. Permits for new equipment in built in 2018, date to 2014 before zenith purchased the facility and before this council passed the 2016 ban on new fossil fuel. Exploiting loopholes they

April 21, 2121

were able to sneak the crude business in the city without info. Oil trains put the neighborhood at risk. Multnomah county reports a quarter of the population lives within the half mile evacuation zone around train routes. 108 schools and 108 child care facilities in this zone and the people of color are more likely to live in the zone. Fourth, zenith has been less than honest with the regulatory agencies and has shown disdain for the community safety. They performed a required spill response drill, with an easier to clean up product diesel than what they were handling. The emergency response manager lived four hours from the site. They lied to d.e.q. In 2008 and claimed that the new infrastructure would not "increase crude oil throughput" when in fact it increased tenfold. The people of Portland expressed strong opposition from zenith crude oil business since it started in 2018. Multiple testimony, meeting with the council staff, petition, public forum, 60-hour vigil and a garden built on the tracks were attempts to stop zenith using the city for the crude export business. The city faces many difficult problems and I extend thanks and the sympathies to you who have to solve them. But this is an easy one. B.d.s. Can and should deny zenith the land use compatibility statement -- compatibility statement that d.e.q. Determined was harmful. I'm happy to answer any questions.

Wheeler: Thank you. Thank you for being there at the convention center helping with the vaccination. We appreciate that.

Plaut: You bet.

Clerk: Next up, we have 253. Request of Dr. Kelly O'Hanley to address council regarding zenith oil terminal.

Wheeler: Good morning.

Kelly O'Hanley: Can you hear me?

Wheeler: Yes. You sound great. Good morning.

O'Hanley: I'm dr. Kelly O'Hanley. By way of the self-introduction I'm a physician with the public health degree who taught at Harvard and Stanford university. Over the coming weeks you will hear the testimony about the many hardships posed by the terminal and the transport -- zenith terminal and the transport. I anticipate you will feel justified deny the permit. If not, and I pray it's not the case, I ask for you to proceed with the stated plan to begin requiring the fossil fuel industry to provide financial assurances against possible damages. I realize some members of the council were not serving when the city along with Multnomah county took the first step in implementing a polluter pay approach and it cofounded a study to quantify the public health and the safety risks posed by the fossil fuel industry. That study coming out in June. It will help

April 21, 2121

establish the amount each fossil fuel should pay including zenith in the form of bonds and other financial assurances to ensure that the taxpayers are not on the hook when things go wrong. The money collected could help fund efforts to harden the stormwater systems and protect drink water supplies. We would enhance the public health capacity to deal with the heatwave and the wildfire smoke incurring due to the climate change that is fueled by the fossil fuel industry. Nationally, and internationally the fossil fuel industry managed to weasel out of the financial responsibility for disasters. Cases and the point are the train derailment and the oil refinery disasters in Texas. In spite of billion of dollars in damage, the train companies and refineries were allowed to declare bankruptcy and walk off scott-free. Taxpayers with the local citizens and the businesses were left holding the bag. Adding insult to injury, internalize cost or use unrenewable sources of energy. Today's fossil fuel industry is making, quote/unquote, "bank" and passing on the cost of climate change to the further generations. This has to stop. Portland city council, follow through on your commitment to enact a fossil fuel risk bond policy. Thank you.

Wheeler: Thank you, Kelly.

Clerk: Next up item 254. Request of Ann turner to address council regarding zenith energy. Ann, are you able to unmute?

Hardesty: She just re-muted herself.

Ann Turner: Can you hear me now?

Wheeler: Yep, we hear you.

Turner: Okay. Sorry. Mayor Wheeler and commissioners, my name is dr. Ann turner. I'm a primary care physician and I worked in a community health center helping vulnerable families. Thank you for the opportunity to speak today about zenith energy. Zenith as you know brings oil trains from the fields through Portland spewing diesel fumes in to some of the most vulnerable neighborhoods. Zenith now must finally as Melanie pointed out obtain the own title v air quality permit from d.e.q. To apply for the permit, Portland city council, you, must agree that the zenith operations are compatible with Portland land use goals. So according to the city and its 2020 clean air healthy climate proposal Portland breathe the dirtiest air in Oregon. Nearly 40% of the black, indigenous and people of color live within the biggest source of the air pollution. One of the sources is the diesel exhaust from the oil trains bound for zenith. Diesel contains 40 hazardous air pollutants and calls 468 premature deaths in Oregon each year. Dose is a known carcinogen and linked to the heart attack and stroke, increases asthma and cognitive and impairment and birth anomalies. Children, elderly, individuals with the preexisting conditions

April 21, 2121

and the workers are the most vulnerable. They are common in economically disenfranchised minority communities. As Melanie pointed out, the amount of the oil transported in 2019 was ten times greater than that in 2018. Following the construction of the 32 new rail offloading terminals. And despite the fact that this is in spite of the fact that zenith stated that the construction would not result in an additional throughput. This is another example as Melanie pointed out of why zenith cannot be trusted. Portland enacted a ban on the new fossil fuel infrastructure. Declared a climate emergency and proposed taxing industries, including zenith that pollute the air and contribute to climate change. Isn't zenith -- it isn't allowing zenith to operate and expand the activity contrary to efforts that the city taken toward the local and the global climate crisis? Zenith current operations do not meet the goals of making Portland a vibrant and livable city for the residents including low-income and bipoc communities. Zenith operations are not land use compatible with a healthy Portland. Please use your power to stop zenith from polluting our air and endangering our health and human safety.

Wheeler: Thank you, Anne.

Clerk: Next up we have item 255, request of Solomon Duke to address council regarding zenith energy.

Solomon Duke: I'm a youth from Portland who has spent several years speaking out against zenith energy. When I was a senior in high school, I spoke on behalf of the Portland youth climate council at the zenith community forums, my synagogue and Portland city council. I have seen the zenith energy expansion site, participated in blocking the tracks and I have had dear friends and mentors arrested for defending our health. Unfortunately, since then, my fears have become reality. Zenith energy expanded the ability to unload the oil cars by 400%. Placing the health of our city and the planet at risk. Back then, the city said that the hands were tied. This is no longer the case. We have already passed the fossil fuel ordinance and the renewable energy resolution, the climate energy declaration and the city claimed the further goals to combat fossil fuels. Zenith energy is not in line with the city goals. I'm now in my second year studying energy, science and technology at western Washington university. With injury I'm studying sustainability through the climate leadership certificate program. I can tell you first hand that tar sand oil is not sustainable. Transportation by rail is extremely dangerous. This winter, a 108-car oil train filled with the highly flammable crude oil derailed just north of my school in Bellingham. Fortunately, no one was killed. Zenith is transporting broken too. If an accident occurs, millions of dollars of infrastructure could be destroyed and it would disproportionately harm people of color and

April 21, 2121

children who live near the tracks. There are 108 schools and 100 child care facilities in the half mile evacuation zone. The chemicals and the oil being transported are toxic, flammable, and explosive. Deny zenith energy the land use compatibility statement and keep Portland safe. Protect the children and the nearby schools and child care facilities. Protect the nearby wildlife and protect our crying climate. We must act now. Every summer and fall that fires ravage across Oregon in the sky is blackened by a blanket of smoke and ash, I fear for the ruby red robins and the baby blue eggs. I fear for the Douglas firs who guard our forest like knights in wooden armor. I fear for lives of every child, sibling, parent and the family member who lives in danger at no fault of their own. Do not let the fears become reality. Stop zenith.

Wheeler: Thank you, Solomon.

Clerk: Next up we have item 256, request of Sophie cash to address council regarding zenith oil terminal.

Wheeler: Hi, Sophie.

Sophie Cash: Hi, folks. Can you hear me?

Wheeler: Yep.

Cash: Thank you for the opportunity to speak before you. I'm Sophie cash. I use she/her pronouns and I represent sunrise movement pdx a climate justice coalition across the country. When I moved to Portland two years ago after college I was so proud to live in a city that established such bold climate commitments, ones that the other speakers enumerated. But instead of Job hunting I'm writing testimony on a topic that scares and confuses as much as it angers me. The folks before me wonderfully listed the reason city council should protect the community by rejecting the new air and land permit for zenith energy. I'll go over a few. Zenith is impacts the future climate change that is harming the community. It vents noxious pollution in the lungs of community of color and working class communities and its unacceptable risk and the health hazard for the city's children and families. Zenith transports tar sands and crude oil some of the most energy harmful on the planet. [audio interruption] the city prioritized constructing earthquake ready buildings; it ignores zenith on the liquefaction zone. In an earthquake we would see nightmarish explosion, fire and spills to damage the infrastructure and the ecosystem throughout the Portland area and beyond. Of course, these are primarily in community of color. Columbia river keeper found zenith violated pollutants in more than 90 runoffs events between April and January. If this weren't enough zenith operation oppose the climate emergency declaration and the agreement to ban toxic substance m.d.i. In 2019. The

April 21, 2121

new construction transports more oil since 2019. Violates the city's ban on new fossil fuel infrastructure, permitless and flouts the clean water act. This unlike the tough climate decisions coming our way, which don't envy you for, is not our decision. This can be an easy one for the city. It will require bravery in making the right choice. I urge the city council and the b.d.s. To make the right choice. The one that choose people and community over the lazy status quo and chooses the health and progress over unlawful and unsafe business practices. For every black and brown family killed by an explosion and every kid in a low income house hold suffering respiratory issues. For every ecosystem we rely on the northwest and every scared young person counting on her city to walk the walk, do the right thing and stop zenith -- stop zenith. Thank you.

Wheeler: Thank you. That completes communications. Have any items been pulled off the consent agenda?

Ryan: Mayor?

Wheeler: Sorry.

Ryan: Commissioner Hardesty, do you want to go first?

Hardesty: Thank you. I just want to -- I don't want to speak to the topic on communications today. But I want to compliment the work that was put in telling the story that was told this morning in communications. Clearly this is a very emotional issue for people. When we talk about zenith. And what is to come. I just want to say I love it when people practice in advance. They are all within ten seconds of the allotted time. And they have a very specific ask for us. As the elected leadership in this city. I just wanted to say how refreshing it is to know that people have taken the time to be prepared to create a story that they want to make sure that we heard today. I want you to know Job well done. We did hear your story. And zenith will be coming up on our agenda later this month. That is all I wanted to say. I wanted to compliment the work that went in to what was an excellent presentation by all the speakers on communication this morning. Thank you.

Wheeler: Thank you, commissioner. Commissioner Rubio?

Rubio: Thanks. I want to thank everybody that was testifying for all of your comments. They were all clear and good. And your concern about the climate and the community. [audio interruption]

Rubio: A lot of work on this right now. I'm also really encouraged that the city has used all the tools available to help facilitate the transition. So by putting the conditions on the land use

April 21, 2121

compatibility statement, we are making it very clear that we are no longer going to allow the expansion of the fossil fuels in Portland but we are committed to the renewable energy transition for Portland. This is a pivotal moment. I want to thank you for the advocacy for the important issues and raising your concerns with us. If you have any questions or concern our office is happy to connect to fully understand the work they are doing.

Wheeler: Commissioner Rubio, thank you. Commissioner Ryan?

Ryan: Thank you. Thank you for testimony. Thank you for setting context. For those viewing, we do handoffs. So this came from b.p.s. And now it's in b.d.s. I'm the commissioner charge of the b.d.s. I want to thank you for your comments and concerns. They were well put. It will be back to the council. I want to give you context from what b.d.s. Has seen. The bureau of development services is using the tools available under the city code to help zenith perform safety upgrades to the facility. It does not expand the capacity of the existing storage tanks. Last year, zenith submitted application for infrastructure to support the renewable tools and in response b.d.s. Issued a land use compatibility statement. The statement requires zenith energy to use a new infrastructure, exclusively for renewable fuels and the nonfuel products. Zenith energy prohibited from using the new infrastructure for the fossil fuels. The commitments support the city's dedication to a clean energy future. This work enhances the city's commitment the climate action plan and promoting the use of the renewable and alternative fuels. We look forward to hearing more comments and thank you for your engagement.

Wheeler: Commissioner Hardesty?

Hardesty: Thank you, mayor. It just came to my attention that former u.s. Representative Elizabeth first died. I would like us to suspend the rules and provide a moment of silence in honor of the incredible leadership she has given to the state of Oregon.

Wheeler: Without objection. [moment of silence]

Hardesty: Thank you, mayor and colleagues.

Wheeler: Thank you, commissioner Hardesty.

Wheeler: Commissioner Ryan, did that complete your comment?

Ryan: It did but I want to thank commissioner Hardesty for that moment. There has been so much going on and a really important person to the fabric of our state passed on. And I'll quickly say I shared a hallway with her at Portland state university. She was the most genuine, authentic, passionate person. And she educated me a lot about tribal governments. It was a blessing and I speak for anyone that melt her to come across our path. You would never know she was three

April 21, 2121

months ago she was in Washington, d.c., being a congresswoman. Thank you for moment to take a breath and honor a real champion. Thanks.

Wheeler: Thank you, commissioner Ryan. I'd like to make a comment about Elizabeth as well. But first, I know we still have our zenith folks hanging in. I wanted to just state clearly and unequivocally my interest in this issue. And my commitment to limiting oil train traffic through not only the city of Portland but the Columbia river gorge and the other scenic areas has not wavered at all. I still remain fully committed though I reassigned both of the bureaus that I oversaw that had direct nexus with the issue. I will still be there as a strong ally, working alongside of you. I agree completely with those who say we should not have volatile oil trains coming through our community. You know, we not only had the Moser example in the Columbia river gorge but we had a close call on Hayden island when a train hit an overpass. That turned out to be not a significant issue but it could have been a very significant issue. We have seen this in other parts of the country and our state but the world as well. It is particularly galling to me that the city of Portland is being set up as a crude oil export colony for Canada. That should be unacceptable to any of us. So that is my thinking on that subject. I appreciate the system. I appreciate people coming forward. With regard to Elizabeth first, I want to add to what commissioners Hardesty and Ryan said. I don't want to forget she had a great sense of humor. At times like this, she was a great leader, distinguished leader. Had so many accomplishments to her name. The humor is what I'm going to remember. The personality. The drive, the determination. That matched, matched with the keen sense of humor. I really like that about her. It's the part that really resonated the most with me. Thank you, colleagues, for taking that moment to remember. Commissioner Ryan, you have your hand up.

Hardesty: Mayor, I want to add one more thing if I may. I was trying to be judicious with my time so I didn't talk about my personal relationship with representative Elizabeth first but I remember my first legislative session. I was assigned to the water policy committee. What I knew about water policy was you turn a faucet on, if water came out that was good water policy. Elizabeth became my personal mentor around water policy. Because of both her life experience in south Africa as well as her experience working with tribal communities throughout Oregon. She was the one that first introduced me to the tribal sovereignty and why it was important for us to be respectful of tribal nations. I learned so much about being a stateswoman from Elizabeth and I will always remember her with the big smile and the big laugh. And always trying to feed me. So again, thank you all for giving us the opportunity to acknowledge an incredible

April 21, 2121

human being who happened to be an incredible public servant.

Wheeler: Thank you, commissioner. Next up the consent agenda. Have any items been pulled from the consent agenda?

Clerk: We have had no requests.

Wheeler: Please call the roll.

Clerk: Ryan?

Ryan: Aye.

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Wheeler?

Wheeler: Aye. Consent agenda is adopted. First time certain item, 257.

Clerk: Appoint Jessica Lagunas to the open signal board for term to expire June 30, 2023.

Rubio: Open signal makes it possible to broadcast the city council and budget forums. They are huge part of how we made it through the pandemic. They have re-calibrated and they have scaled up the work to ensure they provide Portlanders a mean for the safe civic engagement and transparency. We are appreciate of their work so it's my pleasure to introduce our appointment Jessica lagunas to the open signal board of directors. I have worked with Jessica in various capacities for many years and I'm thrilled she is willing to serve the community in this way. She is no stranger to the visual performing and the media all right as. She runs the studio Latino arts at Latino network. Latinx community based organization where she works with the schools and the youth programs aimed to build the positive cultural identity development through art. In addition to the work, for the past ten years, Jessica has coordinated i.d.I. P.d.x., a pacific northwest Latino artist exchange that brings together the pacific northwest artists to showcase the cultural community of the northwest Latinx artists. In work she had an opportunity to work with the media arts and recognizes the opportunity and the power to amplify community voices. I have been impressed with Jessica's commitment to lift up the voices of the Bipoc artists in all forms of expression and we are thrilled to have her represent Portlanders in the important work of open signal board. I'll turn it over to Jessica to say a few words.

April 21, 2121

Jessica Lagunas: Thank you. Well, my name is Jessica Lagunas. I was born in Mexico. I have the honor to live in the occupied land of Clackamas for the last 16 years. As commissioner Rubio said, I got involved in the arts and culture in 2010. And since then, I have held important creative role in the volunteer collective that brings the Latino artists together to learn the skills and tools to grow as professional artists. I immersed myself 100% to the Latino voices to feel represented and culturally understood. Besides all the roles that commissioner Rubio mentioned as my arts and cultural coordinator at the Latino network I serve on the art commission, the arts and the culture council. Since 2019, I am part of if advisory committee of the Portland center for the arts. It would be a privilege for me to serve on the open signal board and offer my experience to the organization. Which is to support the artists to the community as they use digital technology and film making arts. Thank you, commissioner Rubio, and all who bring me here today to continue serving.

Rubio: Thank you, Jessica. Back to you, mayor.

Wheeler: Thank you, commissioner Rubio. Jessica, thank you for your willingness to serve. We are very, very pleased to have somebody of your caliber to step forward and serve the community. Thank you for that. No further questions or comments I'll entertain a motion.

Hardesty: I move we accept the nomination presented by commissioner Rubio.

Wheeler: Motion. Do we have a second?

Rubio: Second.

Wheeler: Commissioner Rubio seconds. Keelan, please call the roll.

Clerk: Ryan?

Ryan: Yes, thank you, Commissioner Rubio, for recruiting and bringing someone on that is so capable and ready to serve. Thank you, Jessica, for your interest and your willingness to serve on the open signal board. I was taken with your experience, your lived experience both in the studios and in the board rooms. You cover a lot of ground. We're grateful to have you serving the city. I vote aye.

Clerk: Hardesty?

Hardesty: I also want to thank you, commissioner Rubio and Jessica, for your willingness to give your talent freely to the city of Portland. I have a love affair with the open signal. I served on their board. I was the president. I'm a huge, huge, huge fan of the community media and the opportunity that open signal provides for so many of our community members. And Jessica, your talent is phenomenal. And you are going to be a perfect fit with this community board to

April 21, 2121

make sure that we are elevating voices in our community who don't have access to traditional outlets for their voice. I whole heartedly vote aye.

Clerk: Mapps?

Mapps: Like my colleagues I want to thank Jessica for her willing to serve our community. I vote aye.

Clerk: Rubio?

Rubio: I just want to say thank you so much, Jessica, for your willingness to serve. And I'm very excited to see your work moving forward. Congratulations. I vote aye.

Clerk: Wheeler?

Wheeler: Happy to support. I vote aye. Report approved and the appointment is approved. Thank you so much. Again, Jessica, congratulations. Thank you for your service. We appreciate it. Next item. 258.

Clerk: Appoint Vincent "Walle" brown and reappoint Richard Roche to the mt. Hood cable regulatory commission.

Wheeler: Commissioner Rubio?

Rubio: The cable regulatory commission develops cable in Multnomah county and the city of Portland, Fairview, Gresham, Troutdale and wood village. It's leading the comcast cable negotiations which provides \$7 million Annually to the general fund. The mhcr administers and distributes \$800,000 in the community grants on behalf of Portland and other jurisdictions. I'm pleased to introduce two nominees to serve on the commission. Walle brown and Richard Roche who already served on the commission for a year. Walle worked at several infrastructure-related regional and the local agencies around Portland including trimet, metro, b.e.s., b.p.s. And the Hillsboro water department. The experiences have led him to develop a unique and a comprehensive understanding of the region's infrastructure. And he has grown to appreciate how intersectional and interrelated the infrastructure projects are as well as the importance of the good stewardship and maintenance. In his application he wrote that, "if elected to serve I aspire to center the focus of the group toward equity, inclusion, sustainability and system level thinking." we are thrilled Walle will bring the expertise and love of systems to work on the commission. Rich is a retiree with the 40 years' experience working in the telecommunications industry pac bell and at&t. He has extensive knowledge and the experience he brings to the work of the cable commission. He has done it all. From the climbing telephone poles, fixing customer issues, working with the non-profits, managing budgets and working on everything

April 21, 2121

from the local programming capabilities and the local government to the community coordination and the statewide franchise obligation. Rich has a bag of tools and skills that we are so fortunate to have here in Portland. Rich has served on the board of directors for self-enhancement inc. And the work systems so he brings a valuable community race perspective to the commission and we're grateful he will serve. I'm pleased to invite Walle and rich to say a few words. -- invite Walle and rich to say a few words.

Walle Brown: I can go ahead. Hello, everybody. I'm going to put my timer on so I can stay under time. Okay. Hello. Good morning, everyone. My name is Walle Brown. So, first, I'd like to say thank you, council, and the city of Portland for having me. Thank you. Thank you, commissioner Rubio, for this appointment. Thank you to the office of the community technology for supporting my onboarding. I look forward to serving the mt. Hood region and representing Portland on the mhcr. My position is unique that I get to also serve as liaison to open signal so I'm excited about that. I'm excited to serving in a manner equitable, just, collaborative and responsible. Yes. And responsible across many ways. Then to catch up on the role, I have been reading the Annual reports, bylaws, intergovernmental agreements and I will continue to learn more to serve effectively. So you know and the city of Portland can know a brief overview of my background and what will be the positionality I'll bring. I graduated with a masters from psu. I had the public infrastructure from the director of public works in Salem. I studied in Quebec, Canada, and south Korea. And their infrastructure just works differently. And continuing a masters in public health at ohsu. Detailed work history, I forgot trimet. I put it in there. B.p.s., metro, b.e.s., Portland housing bureau, trimet, Hillsboro water and I was a financial analyst with my mom. Audits, planning and infrastructure. Yes. I have been an amateur photographer and videographer and I do web design so I have a soft spot for what open signal does and I'm the resident techie wherever I go. The non-profits I work with and for, urban green spaces, unite Oregon, epap, Alberta mean streets. I'm going to be connected to the community and connected to technology. And the lens for my service will be equity, fiscal responsibility, collaboration, transparency, and due -- due diligence. With that, thank you so much. Happy Wednesday.

Rubio: Thank you, Walle. Rich?

Richard Roche: Good morning. Thank you for consideration of my reappointment. Thank you for your comments, commissioner Rubio. You covered most of the stuff that I was going to say, so thank you for that. But the commission reappointment allows me the opportunity to continue

April 21, 2121

my work to create positive change in the community. I have really enjoyed being on the commission. Good things going on. There are two areas that excite me the most about being on the commission. To work to evolve the cable technologies for the 21st century and beyond. I don't view cable as a mature service product with support and direction. I believe cable technologies can evolve and be a key technology closing the digital divide in underserved communities. Additionally the other area to drive the community technology grants to the opportunities that highlight and focus on needs of the underserved communities. Grants need to creatively address closing the digital divide and awarded to the organizations that can provide sustained and the ongoing change to the communities. I look forward to working with the commission if reappointed. Thank you for this opportunity. I greatly appreciate it.

Rubio: Thank you, Walle and rich. Mayor, I'll turn it back to you.

Wheeler: Very good, colleagues. If there is no further questions, or discussion, I'll entertain a motion.

Hardesty: I move we accept the report as presented.

Wheeler: Motion.

Mapps: Second.

Wheeler: Second from Commissioner Mapps. Please call the roll.

Clerk: Ryan?

Ryan: Yes, thank you, again, commissioner Rubio, for bringing the appointments to the dais. Welcome, Walle brown. That was really, I could have listened to you talk for much longer. I don't say that often. I really want impressed -- you used the word "system level thinking." people are starting to say it a lot now but I believe you because of all the different places that your life experience has taken you. And go vikes, great you have a master degree from Portland state. I hope that you keep leaning in to that. System change work is fun and exciting to talk about. But man, when you are trying to implement it, there are a lot of head winds because it's change. I'm rooting for you and I'm really glad that you include the city of Portland in the service. Happy that you are Joining the commission. Thank you, Richard, for signing up for more time. Your experience is really needed at the table. I vote aye.

Clerk: Hardesty?

Hardesty: I want to thank Richard and Walle for their willingness to provide such expertise, experience as volunteers for the mt. Hood regulatory commission. I want to once again thank commissioner Rubio. It's amazing. I have been so impressed with the appointees that

April 21, 2121

commissioner Rubio has moved forward in her short time as my colleague on the council. What I love about the appointments that traditional, traditional for three months with commissioner Rubio is all of the appointments are individuals who are grounded in community. They may be grounded in different ways but they are deeply connected and committed to the people who have not had a voice in the government and the governance. I'm grateful that you are both willing to serve and Richard you are willing to continue to serve. Commissioner Rubio, Job well done. I vote aye.

Clerk: Mapps?

Mapps: Like my colleagues I would like to thank Walle and Richard for their public service. I vote aye.

Clerk: Rubio?

Rubio: Again, I want to thank Walle and rich for the willingness to serve. I'm really excited for the energy and the expertise that they are going to bring in this next set of years. I look forward to continuing to work with them. I vote aye.

Clerk: Wheeler?

Wheeler: Well, this is exciting to see the caliber of the appointments we made today. Walle and rich you fit in with the theme of the day: Exceptional people serving our community. Commissioner Rubio, thanks to you and your team bringing forward such qualified candidates or re-bringing forward and keeping interested previously very qualified candidates. This is great. I appreciate both of our interest in stepping forward and serving the community on an ongoing basis. This is a very important commission. It can get wonky at times, as you well know. But the work you do better informs the work we have to do. It definitely serves the community in a positive way. Thank you. Again, commissioner Rubio, thank you for two excellent appointments. I vote aye. Report is adopted. Appointments are approved. Thank you. Next up, we have to the regular agenda. Item 262, please.

Clerk: Accept bid of James w. Fowler co, for the Carolina trunk wz-02 rehabilitation project for \$1,563,000.

Wheeler: Colleagues, this is a procurement report for bureau of environmental services project. That will rehabilitate a replaced deteriorated pipes throughout the city sewer system. Chief procurement officer Kathleen Brenes-Morua is here to present this report. And we are also going to hear from b.e.s. Project staff. Good morning.

Kathleen Brenes-Morua: Good morning, mayor and commissioners. For the record, I'm

April 21, 2121

Kathleen Brenes-Morua. Chief procurement officer. With me are Joe Dvorak and Yang Zhang. We are here to enter in the authorization for a contract with the James w. Fowler company for the Carolina trunk rehabilitation project. Joe and Yang have a presentation about the project and I will let them present it now and I will follow with a summary of the procurement process. Joe?

Joe Dvorak: Great. Joe Dvorak can the bureau of environmental services. Good morning. We were here in December to seek authorization to solicit bids for project. Our project manager gave a presentation and he will do it again quickly to orient you to the project. And I'm available for the questions as well.

Yang Zhang: Thank you, Joe. Good morning, mayor and the commissioners. I'm the project manager with the bureau of environmental services for this project. I'm going to share my screen for the presentation. So please let me know whether you can see my screen now.

Wheeler: Yeah, we can see it.

Zhang: Thank you, mayor. So last year, we presented this project to city council for requesting authorization of the competitive bids. So this year, the project was advertised for a bid. Today I'm here to present the project. It would be helpful to understand the special condition of this project. So here is the brief overview of the project. So carolina trunk project is one of the large trunk projects in b.e.s., largest program we have. So this is to repair the deteriorated trunk. The project site is located on the southwest McAdam, shown on the map. Which is the right-of-way. The scope of the project includes rehabilitation of the 760 feet, 51 inch field trunk. 310 feet of the 20-inch line. So the paths are over 100 years old. Construction measures to be used in the project include spiral wall lining for the large fuel trunk and pipelining. As we know, this is a common matter that has been used in many city projects. The spray-on lining is a new technology and majority of the work in this project will yield. I will give you the details on the next page about the technology. So spiral wound lining is innovative technology and typically used for the large trunk rehabilitation. This project is the fourth project in the city. And also in the northwest coast to use this technology. So this project is a pilot project. So on the right side of the page, this will show the spiral wound lining profile and the machine inside of the pipeline. So during this installation, the profile put in the pipe through the existing hole and trellis inside of that to interlock the profile and form the line. Compared to the other technologies, the spiral wound lining has two benefits. It can be installed with the land flow and it can stop and restart at any time if it's interrupted. Additionally, this technology is considered to promote resiliency and this is critical for the city to have reliable service for future. Due to the benefits, so this

April 21, 2121

technology is considered as an effective solution for the trunk rehab, and it's a candidate for the inclusion in the city's repair for the future projects -- repair toolbox for future projects. The installer must be trained and licensed by the manufacturer. This is new technology. So currently the number of the contractors who are qualified for the spiral wound lining are limited in the northwest coast. Because this project is the fourth time for the city to use spiral wound lining, we rely on the local contract community may not have enough experience or knowledge about this. Last year in November, a b.e.s. Team had northwest utility contractor association meeting. Nuca's meeting we introduce the technology. It's to draw more interest from the contractors to encourage the competitive bids and to give contractors more time learning the technology and learn trends and lessons from the manufacturer. The project was advertised in February 2021 this year. Bid open was in March 2021. Engineers cost estimates at the final stage is \$1.462 million. The bid is \$1.563 million. That is considered to be in a reasonable range. If the bid approved to accept, it's anticipated that the project construction would start in June 2021. That is all I have for today. Thank you.

Brenes-Morua: Thank you, Yang. I'll summarize the procurement process. On December 9, 2020, council approved ordinance number 190224 for the procurement service to solicit the project. As yang stated the engineer estimate was \$1.462 million. The confidence level was high at that time. Procurement services issued invitation to bid on February 15. And bids were open on March 9. We received one bid. The bid from James w. Fowler company was deemed responsive in the amount of \$1,563,000. Which is approximately 7% over the engineer's estimate but has been determined to be reasonable by b.e.s. Engineering staff. The city's aspirational 20% sub contract the supplier utilization goal applied. Fowler committed to subcontract 8.51% to firms certified by the state's certification office for business inclusion and diversity as identified in the report before you. They are self-performing 88.3% of the work. And subcontracting additional 3% to noncertified firms. We feel that James fowler was limited to do more to achieve the aspirational goal given the specialized technology that is used that requires the special licensing. There are limited subcontracting opportunities within the scope of the contract for certified firms. James w. Fowler company is in the full compliance with the city's contracting requirements and I here recommend that council recommend the report and authorize execution of the contract. I'm happy to answer any questions abs the procurement process and Joe and yang can offer -- answer questions about the scope. And James Fowler is here to answer questions about the good faith efforts.

April 21, 2121

Wheeler: Very good. Colleagues any questions? Commissioner Hardesty.

Hardesty: Thank you for the presentation. And for this information. I was told this contract was an opportunity for us to identify minority-owned firms that would be able to learn this new technology. As I review what is given to Council I don't see pathway than a very low 8% utilization rate at the end of the program. Am I missing something?

Brenes-Morua: Joe, do you have anything to add about the outreach to certified officials?

Hardesty: Or strategy or plan? Is there a plan to ensure that at the end of this contract that there are minority firms that now have the expertise necessary for this new technology?

Dvorak: Commissioner Hardesty, Joe again. Construction industry is conservative by nature. This is a pilot project so we hope to learn a lot. I think as we gain more experience with this technology, certainly right out of the gate, I think more contractors will feel comfortable bidding. More training and outreach is one strategy we will have to employ. It will be easier to train and do the outreach when you can say the project has been done successfully and give people the confidence that if they attempt to bid on it, the risk maybe will be lower because there is experience with it.

Hardesty: So the answer to my question is actually no. We don't anticipate at the end of the project to have more than \$48,000 going to a person of color owned firm.

Dvorak: At the end of this project, I don't believe so. No.

Hardesty: I had a different understanding of why we took this approach. Why we chose this firm. And so I just have to say I'm kind of disappointed in what I am hearing today. Maybe the owner of the fowler company has some information that would make me feel more comfortable about why I should support this contract. Because at the moment I'm just not feeling it.

John Fowler: Good morning, commissioner. I'm John fowler. I do have a little bit more information that I could provide if you're asking me to speak up, yes. If I could just quick statement. I wanted to say good morning to the council and the mayor. Fowler has been in business for 50 years, in Portland for 30 years. I recently found my grandfather lived on Mississippi and attended franklin high. That is interesting news. We have an exceptional history working with the city and embracing their local m/w/esb goals and received multiple accolades in concert with the work of those goals and the council's goals. The city has been working on this pilot project for quite some time. And fowler has worked for more than a year with the inventor of this technology to try to make it something that could be used in the city of Portland. We coordinated with people from Japan, Australia and multiple locations within the united states.

April 21, 2121

As always is the case we perform pretty exhaustive review and good faith efforts and the outreach, including myself calling people I knew within the community to try to maximize our participation. We understand that it is low. We have a rich history of improving on the goals as time progresses. We are committed to continuing our efforts to improve the goals. We don't give up easily.

Hardesty: Thank you, Mr. Fowler. I appreciate your comments. You have been doing with the business for 30 years you said. And so it is fascinating to me that within 30-year history of doing contracts with the city, you have not been able to build a deeper bench of folks that you could subcontract with. And I think the accolades that have been given in the past have been primarily unearned. Because when glob everything together we don't see the disparate treatment and outcome of who benefits and who doesn't have a city contract so I look forward to a day when we are real to make sure we achieve the goals we set as a city and as individual contractors. So I thank you, Mr. Fowler, for your testimony. I am done.

Wheeler: Thank you, Commissioner Hardesty. Commissioner Mapps?

Mapps: Thank you, Mr. Mayor. I appreciate the opportunity to jump in here. One of the things I want to share is an b.e.s. Perspective. For us this is a pilot project, to explore new and exciting technology. If the project turns out well one of the bureau-wide goals is work with the community to develop the skills, to develop and transfer skills that are required for this work to the minority contractors. Therefore as we move forward, with what I hope will be the future of this project, we will have a bench and base of minority contractors and the women-owned firms who are in a position to competitively bid for this project. So, I hope that this pilot project not only introduces new technology to our community that is cheaper and more effective, I also hope we can use this as a first step toward developing a skill base out there that will allow minority contractors to participate and get some of the contracts moving forward.

Hardesty: Mayor, if I may?

Wheeler: Yeah, Commissioner Hardesty.

Hardesty: Thank you. Thank you for that, commissioner Mapps. Again, I was under the impression we were would be able to see that from the very beginning in this contract. So I don't have ten years to wait to see results, people of color having access to the contracts, right? It would have been helpful if procurement made it as part of the project. What will you do now with the first test to make sure you engage the contractors of color and women-owned firms? I'm disappointed we continue to have aspirations we don't put measurement in the contracts for

April 21, 2121

us to achieved so I'm a bit frustrated this morning because I was held to believe this could be a path toward making that happen. It's clearly not the case.

Wheeler: Very good. Further comments or questions? This is a report. I will entertain a motion.

Mapps: Move to accept the report.

Wheeler: Motion. Is there a second?

Ryan: I'll second.

Wheeler: Please call the roll.

Clerk: Ryan?

Ryan: Aye.

Clerk: Hardesty?

Hardesty: We don't have a decade to ensure that minority contractors have opportunities with the city of Portland. We don't have a decade to wait to find out if our partners that we work with for 30 plus years have the ability to engage contractors led by minority owned firms and the women-owned firms. I am really disappointed that this is presented to us today as an opportunity. I don't see it as an opportunity for us to be building for the future. If the contract doesn't include it, it's not building toward the future. I am a no vote. I cannot support this as has been presented to us today. I'm really disappointed at the aspiration not even being closely met -- aspiration not even being closely met. I vote no.

Clerk: Mapps?

Mapps: I appreciate commissioner Hardesty's perspective here but I disagree. I'm excited about the new technology and I believe it represents the future. [audio re-sync] [brief technical difficulty]

Wheeler: Colleagues this is a second reading and we have heard a presentation. Taken public testimony. Further discussion from commissioner Hardesty.

Hardesty: I want to thank you for pulling this off the agenda a few weeks ago. I talked to tammy from the police bureau. She is always impressive because she only tells you what it is she knows. What I would like to know is propose we have an amendment to the contract. I would like it to be amended so it's a one-year renewable contract. But we need to come back to the city council to renew it. That is one item. The second item is to ensure the technology oversight committee is leading the purchase in the Portland police bureau. We know the history of the technology purchases without the technical experts involved every step of the way. If the amendments are acceptable, I would be in favor of this particular contract.

April 21, 2121

Wheeler: Commissioner Ryan?

Ryan: Yes. Thank you, mayor. I have a question. Commissioner Hardesty did you put an amendment on the floor?

Hardesty: I was giving a sampling of the amendment. The first amendment is that the contract would be renewed for one year. For any extensions it would have to take city council approval.

Ryan: I will second that.

Wheeler: We have a motion and a second. Commissioner Hardesty, did you want to move the second amendment as well?

Hardesty: The second is require the police bureau to work with the technology oversight committee to ensure effective and efficient purchasing of technology.

Ryan: I'll second that, too.

Wheeler: Motion for the commissioner Hardesty's second amendment. And a motion -- and a second from commissioner Ryan. I would like to hear from staff on both of the amendments.

Hardesty: Tammy, can you unmute?

Wheeler: Tammy, can you, are you able to hear me? I see she is unmuted.

Ken Lee: Mayor Wheeler, can you hear me?

Wheeler: I can hear you.

Lee: I'll try to speak on tammy's behalf. Ken lee, the senior business operations manager for Portland police bureau. Basically on the first amendment, I think, you know, it's possible to do a year-to-year obviously. But we have to go back to Versaterm and some of the terms and conditions may change because we are going from a year to year versus a three year. That is something to work with the city attorney's office on. On the second point, I believe, it was requiring the police bureau going through technology oversight committee. That is something we can definitely do for sure when we go out for the next r.f.p.

Wheeler: Great. Commissioner Hardesty, did you raise your hand again?

Hardesty: I did not, mayor. Sorry.

Wheeler: Okay. Very good. So it sounds then like we can go ahead and make these amendments. If I'm hearing you correctly will not materially impact our ability to enter in to the contract.

Lee: That is what we'll find out from the city attorney. We'll go back and work with them on it.

Wheeler: Okay. If it turns out you can't, obviously, you will have to come back to us. Right?

Lee: We'll do that.

April 21, 2121

Hardesty: In my conversations with tammy, it was not the preferable option but she did feel that it was something we could certainly do.

Wheeler: All right. If that what it is takes to get support, that is what it takes to get support. So with that -- sorry, commissioner Mapps, you had your hand up as well.

Mapps: Unfortunately, it sounds like tammy cannot, her audio is broken. If I could ask commissioner Hardesty to give a quick summary for why this was not the police bureau's preferred option?

Hardesty: Well, because, you know, like most of us, they prefer to not have to deal with it right away I think. Right? And just, you know, with the three years they would have the wiggle room. I think, right? But again, this contract is so horribly bad it would not be in my opinion a good move for us to extend it for three whole years. I'm hoping that working with the technology oversight committee, it will help the Portland police bureau narrow in on what they specifically need. And what the technology would provide the best support for that.

Wheeler: If I could add one clarification. So, there are changes with this extension is my understanding. Ken, can you confirm that?

Lee: That, I will probably have to get tammy on to talk about that. I'm not aware of the specifics. We are extending the agreement for three years and if we go to --

Hardesty: Sorry. Ken, I was going to add one other thing with the new agreement is that we will not be required to pay more when other people drop out. So that is a big change. That will be in the contract moving forward.

Lee: I will confirm that. I missed that part. Yes, and it looks like tammy worked with the board to basically kill the i.g.a., the current i.g.a. And then we will rebuild it up so everyone pays a fair share moving forward.

Hardesty: Mayor, I still question why we need a lot of other law enforcement agencies involved in a system where what we really need is just to be able to get data when the Portland police bureau needs it.

Wheeler: Now you are just triggering me. The contract should never have been entered in to. However, there was a valid reason for it. The valid reason was the economy of scale. The more organizations that participated that leveraged, quote/unquote, "negotiating strength" that presumably meant that the cost sharing was less per user and less per bureau. You are keenly aware and I am keenly aware the terms of the contract left the Portland police bureau with all of the downside financial risk. And no opt-out clause. Let me state unequivocally for the

April 21, 2121

umpteenth time this is a crap contract that never should have been signed but we need data management systems in the police cars, a must-have. We have not been able to transfer to the new product as a result of the other commitments and the problems we have had in the course of covid. This gives us flexibility as we my grade to a new pro -- migrate to a new project. With that, let's take a vote on the amendments. Could we call the roll, please, on amendment one, which would shorten the terms of the contract to one year, presuming it can be negotiated. Any further discussion on the amendment? Seeing none, please call the roll.

Clerk: Ryan?

Ryan: Yes, thank you, commissioner Hardesty, for doing the work to get this amendment on the table. I had any hand up to ask questions but I was definitely behind you but I loved everything you said. The word of the day is "craptacular." [laughter]

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: I'm pleased with the amendments, too. I want to say thank you, commissioner Hardesty. It actually addressed a lot of the questions I had coming in to this agenda item as well. And we still need a data management uninterrupted so I think it finds a path through and gives the bureau the time it needs to look at other options. I vote aye.

Clerk: Wheeler?

Wheeler: I have to have some linguistic integrity. The term "craptacular" is attributed to matt greening. So I want to make sure I give credit where credit is due. I don't have any problems with this provided that the bureau doesn't have any problems with it. Or legal doesn't have a problem with it. My suspicion is we will be back next year having a similar discussion. Hopefully not. We'll see. I vote aye. Amendment is approved. The second amendment which would engage the technology oversight committee, any further discussion on that amendment? Seeing none, please call the roll.

Clerk: Ryan?

Ryan: Aye.

Clerk: Hardesty?

Hardesty: Aye.

April 21, 2121

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Wheeler?

Wheeler: Aye. Amendment approved. To the main motion, actually stand by. This is a first reading.

Hardesty: No. We had a first reading.

Wheeler: You are right. It's the second reading. Call the roll on the main motion. As amended.

Clerk: Ryan?

Ryan: Aye.

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Wheeler?

Wheeler: Aye. Motion passes as amended. The ordinance is adopted as amended. Next item, 265.

Clerk: Authorize a sub recipient contract with resolutions northwest for \$150,000 for the provision of mediation services in support of stabilizing tenants.

Wheeler: Commissioner Ryan?

Ryan: Thank you. Colleagues, Portland housing bureau rental services office provides various services designed to protect the rental households vulnerable to the negative impacts of displacement, or eviction. One of the rental service offices newest services is a landlord tenant mediation pilot program. The ordinance before council would allow Portland housing bureau to contract with resolutions northwest for freeing medication services to the landlords and tenants to resolve disputes as part of the new program. With that, I turn it over to Christina dirks.

Hardesty: Excuse me, commissioner -- excuse me, commissioner? Are they providing meditation?

Ryan: Did I say meditation? A Freudian slip. Why need more of that. Was craptacular. Thank you

April 21, 2121

for the edit. With it, I turn it over to Christina Dirks. Rental policy and the program coordinator at p.h.b. To introduce landlord tenant mediation pilot program. All yours.

Christina Dirks: Thanks. Good morning, mayor, commissioners. We could all think use for mediations and meditation services. So hello. I'm Christina dirks. Rental housing policy and the program coordinator at the housing bureau. I'm here to give you a quick overview of the landlord tenant mediation pilot project. Happy to answer any questions you have. I'm going to share my screen here. So just by way of the background, the mediation pilot project was recommendation from the rental services commission back in 2019. The goal of the program is to preserve housing stability for the renters and to avoid court filings in the negative ramifications that come with that for the landlords and tenants. This contract is before the city council \$150,000 in the rental restoration funds for the fiscal year and we are planning in the budget for another \$150,000 for next year's contract as well. Which will come to you another time. For eligibility for the program, we are going to flush out details with the contract provider. But the broad brush overview of the program at either landlords and the tenants can engage in the program. There will be no income restrictions to receive mediation services themselves. And the program is going to be voluntary. It's not a mandatory diversion program. It's voluntary program. With the free mediation services. We do understand that one of the great benefits we think to anticipate see from the pilot project is that mediation provides the opportunity for the parties to engage in more creative problem schooling. Having a deeper dialogue on the disputes that may be between the parties but we understand that the conversations are happening with the context of the rights and responsibilities outlined in the law so we'll provide a general overview and the rights and the responsibilities to the parties to provide framework for dialogue that happens in the mediation. We want to make sure that the mediators are equipped with the up-to-date referrals so people can get updated with the services apart from the mediation. We plan to set aside \$70,000 of the total \$150,000 for the financial assistance distributed to the eligible tenants that complete mediation and result in the successful mediated agreement with the housing provider and we intend to set aside the funds for 60% area mediation income an resolutions northwest the contract provider will develop equity tool to determine how to distribute the limited funds. We know 70,000 isn't going to satisfy all the tenants needs that go through the program. So they will help us making sure that the funds are going to the most impacted folks in the community. Resolutions northwest is the provider we selected. We went through a fairly robust process and we engaged community stakeholders to select resolutions

April 21, 2121

northwest as the contract provider. They are the largest game in town. They have provided contact resolution since 1985. They have pioneered locally the equity informed mediation model where mediators use the equity framework to offer support to the parties. They also have mediators of color, training programs they are doing and the media cohorts we anticipate will be folded in the program as well. They have experience doing this work. They have provided mediation of the contract home and the foreclosure mediated context. We think about this is a pilot project. We want to assess the impact and what is it going to look like to have a successful program and if we want to scale it up, what does it look like? We know that equity outcomes are incredibly important. So we want to create intentional outreach strategy to the bipoc community. We are anticipating that 70 to 150 individuals will come in through the program. And receive intake resulting in the 70 to 100 mediations each year. Resolutions northwest believe 70% of those will result in the successful mediation. We want to see the positive impact of the mediation. Part of that is checking in with folks at every step of the process. So when they engage with services, going through the mediation. Three months out to see how did the mediation affect the housing stability. So that is all I have for you today. I'm happy to answer any questions you have.

Wheeler: Colleagues, any questions?

Hardesty: Mayor, it can't get my raised hand button go up but I have a question.

Wheeler: Yep.

Hardesty: Thank you. Thank you for the presentation. So I was, I was clear up until the part of the presentation where \$50,000 will be set aside to provide grants to people. Could you talk to me about that piece?

Dirks: Happy to. \$75,000 will be set aside. We anticipate that will hopefully incentivize the folks to engage in the program. Both the landlords and the tenants. And we anticipate also that at least right now with the eviction moratorium a lot of the disputes that we will see will be around rent arrears so we want to make sure that if folks are able to negotiate a payment plan with the help of the mediator there are some funds available to allow them to start paying down the rent arrears.

Hardesty: So that \$70,000 is for what?

Dirks: It's basically financial assistance for the parties that have gone through the mediation project and received a mediated settlement agreement that includes some kind of financial payment terms.

April 21, 2121

Hardesty: So are we paying the arrears? Or are we paying -- who are we paying with that \$70,000?

Dirks: So, they will likely be paying the landlord, I would anticipate. But any type of landlord-tenant dispute can go through the mediation project. So it could be back utilities owed, property damage, essentially it would be money that the parties have agreed that the tenant owes to the landlord and we'll use those funds to assist the tenant pay off the balance toward the landlord to stabilize their housing and hopefully stay in the housing.

Hardesty: So I appreciate having a pilot program to try to test whether or not a theory works. We are talking about 100 or less mediations in this particular project, right? So I guess it's not a bad thing to do a pilot to see what works. I guess it raises a lot of concerns for me. Because the day that the moratorium is lifted, people will be getting eviction notices all across the city of Portland. The 100 mediations will be a drop in the bucket compared to the thousands of people who will be facing court costs. I'm concerned that as a council we have not as of yet created a fund for legal defense against eviction. It's my hope that we are able to do that through the c.a.r.e.s. Act dollars. I don't want to overpromise pilot project like this knowing the magnitude of the need out there and how unrealistic \$70,000 is going to be when the people haven't paid rent for over a year. I appreciate the pilot and I look forward to learning from it but I would be intentional about not overpromising what could be delivered in the 100 mediations in that period of time. Thank you.

Dirks: Thank you, commissioner Hardesty. I agree with you by way of perspective. This was proposed in 2019. This has been in the rental services office budget. We are getting it off the ground now but I hear you and I agree with you, it's something we want to pilot and see what works. But there are other issues and different program services that should be directed toward the eviction moratorium.

Wheeler: Very good. Colleagues, any further questions at this point? If not, Keelan, do we have any public testimony?

Clerk: No one signed up for this item, mayor.

Wheeler: Very good. Please call the roll.

Clerk: Ryan?

Ryan: Yes, thank you, Christina. That was a great report. And I really appreciate the focus on the outcomes and the outputs. The service provided through the program are urgently needed by a renter and landlord community members. Thank you, resolutions northwest, for being a partner

April 21, 2121

on this. And director callahan and the Portland housing bureau staff for the leadership. I vote aye.

Clerk: Hardesty?

Hardesty: I'm looking forward to seeing what comes out of this pilot and how it may be able to be tweaked to really serve a host of the community needs that we know are just down the road from us. I vote aye.

Clerk: Mapps?

Mapps: I want to thank the housing bureau and commissioner Ryan for championing this important pilot project. I think we need work like this, projects like this now more than ever. I would love to get a report on how it is playing out. But in the meantime, I will vote aye. I look forward to learning more. I wish you all luck.

Clerk: Rubio?

Rubio: Thank you, commissioner Ryan, and the housing bureau for introducing this. The impact of the kinds of evictions and the proceedings on the low-income folks can be devastating and they push people toward houselessness. I have seen that in my previous work so I will be interested to see the impact of the program. Like my colleagues. If successful, to understand how this approach might work for other things in the future. I look forward to the report. I vote aye.

Clerk: Wheeler?

Wheeler: Happy to support. I vote aye. Ordinance is adopted. Next up is 266.

Clerk: Approve application under the multiple-unit limited tax exemption program under the inclusionary housing program for analog pdx located at 1871 n. Flint avenue.

Wheeler: Commissioner Ryan?

Ryan: Yes, thank you, mayor. Colleagues. Excuse me. Since February 2017, any building adding 20 or more units is required to contribute to the city's rent, restricted housing inventory through the inclusionary housing program. Developers must choose from several options in order to fulfill inclusionary housing requirements. Providing the inclusionary housing units in the otherwise market rate building. Sending affordable units to another building or paying in to the inclusionary housing fund. The multiple-unit limited tax exemption program, or "multe" program is one of the financial incentives providing to building restricting units. Rather than paying the fee in lieu. Each multnomah application comes before city council for approval and today we are considering the multe application for the analog pdx building. Matthew Tschabold

April 21, 2121

is here to present. Take it away, Matthew.

Matthew Tschabold: Thank you, commissioner Ryan. And mayor, members of council. For the record, Matthew Tschabold at the Portland housing bureau. As always with regard with our policies at the housing bureau we lead with race and racial equity to ground the conversation about which communities can afford to live in the cities and the neighborhoods and which cannot. I know you are familiar with the graphic. Overall, for a program update for the quarter two of 2021, we now have a projected minimum of almost 1200 inclusionary housing units. Somewhere in the pipeline. Either in the early assistance, in the permit process. Permitted and in construction or open. Majority of the units are at the 60% of the median income. Our studio and are one bedrooms. The project, the specific project we are here to talk about today is the analog pdx. It is set on a backdrop of all the projects in the process or have completed and/or are in construction. The analog pdx project is seven-story residential building. It's using the bedroom reconfiguration option to provide five units of affordable housing at 60% of the median income. The rent is a significant rent discount given that these are the three bedrooms. The neighborhood rent on the average for three bedrooms is \$3,800 per month, whereas the rent cap for inclusionary housing under \$1,500 per month. The property tax exemption given that this is in the central city is eligible for a full property tax exemption on all residential and the residential-related square footage of the building is roughly \$35,000 per i.h. Unit per year. To date, analog pdx, the project has met all city i.h. Requirements. With that, I will pass it to director Shannon Callahan to give key considerations on the project.

Shannon Callahan: Thank you, Matthew. Mayor, and commissioner, Shannon Callahan, director of the Portland housing bureau. I'm Joining you today to talk about the key considerations with this project. In particular, this development presents an extreme example of the bedroom reconfiguration option. Whereby, the three bedroom units that are being designated as affordable are smaller in square footage than the average one-bedroom and two-bedroom in the building. Key considerations that we would like to bring to your attention just overall about this project is that it does include five units of housing at 60% a.m.i. All of the option, all of the reconfigured units are three bedrooms. This does represent a steep discount in rent based on the average three bedroom for rent in the area. It obviously has a tax exemption associated with it. Which as matt indicated is about \$35,000. Based on the value of the units being provided. And this building represents one of seven projects within the current development pipeline that may be subject to some of the older administrative rules that the housing bureau as you know has

April 21, 2121

been in the process of changing and in fact are planning to enact new and updated rules later this week. I want to talk about how it would apply. Matthew to the next slide for me. If they were to make configure options we are making the rule changes to change how the reconfiguration options work. So we don't see the extreme examples that council commented on for approximately the last six months. To reconsider to two or a three-bedroom the building must have at least a one, one two-bedroom market rate unit so we can better apply a reasonable equivalency standard. If they would like to reconfigure to four bedrooms it must have a three bedroom market rate unit. We are also increasing the reasonable equivalency standard from 90% to 95. We don't feel that going to 100% frankly is reasonable in the way that the developments actually are laid out. But we think 95% provides a stronger, reasonable equivalency standard. And we are doing an additional safeguard. Because some of the ways that the reconfiguration option has worked are things that we frankly did not anticipate when this option was adopted by council in late 2016. So we are setting an additional standard to ensure that each reconfigured unit is larger than the average size of the units of lesser bedrooms. Matthew, can we go to the next slide, please. Under the new rules if they were to applied to the analog -- let me be clear, they will not. Analog is a vested project prior to adoption of the rules. The new safeguards would allow analog to utilize three bedroom configuration as it has a two bedroom market unit. The minimum size of the three bedroom unit would need to be 1296 square feet. I want to express it to you so you would understand how it looks. I also did want to make sure that council is aware that the developer of this project is on the call today. I think would like to give comments. I called the developer Paul Del Vecchio and let him know that the particular project, though it met all the requirements will have controversial elements with the small three bedroom size I thought he should be aware of. So he could talk to council himself. That concludes my part of the presentation. We are happy to take questions and comments and I wanted you to know that Mr. Delvecchio is on the line as well.

Wheeler: Mr. Del Vecchio. Go ahead. Welcome.

Paul Del Vecchio: Hi. Councilmembers and mayor Wheeler, thank you for hosting this. Shannon, thank you for the call. Thank you for the presentation. I would like to generally point out that I understand that the reconfiguration in particular is being reconsidered. I would like to add context to the company and the building. We are a young company, Portland based, relatively young firm. We are the first and third early assistance applicants post-i.h. Everyone else was pulling up stakes and rushing to complete before the law took hold we were digging in.

April 21, 2121

Everyone expected there to be the unintended consequences of a quickly enacted piece of legislation. We have all seen this sort of thing happen before. I don't want people to lose sight of good in terms of perfect. There were good ones purchased prior to the law. We have two building in a similar format to what you saw. They exist today and they are rented. The three bedrooms absorbed well and the studios have not. I heard from a colleague at the urban developer partners, similar platform, they are having the same experience. Studios don't offer enough of a discount to market. Especially smaller ones. There are sub optimal units in the affordable housing portfolio. That makes sense. One of the version of this for the developer side is put studios in the circulation because of the difference of rent is lower. It's a better economic outcome than the three-bedroom circumstance we represent is less good economic outcome but we believe it will be impactful and keeping with the spirit of the law and the community objectives. That was our honest and genuine attempt to meet policy goals and get buildings built. We are in the middle here between national capital markets and on-the-ground needs of the market rate governmental and -- the stakeholders. There are many development side on the ground. We are trying to meet the objective, and this is the version. This particular building, I believe Shannon pointed out there are some kind of oddities in the square footages. One I would like to point out is the size of the one bedrooms is very large. 810 square feet. That probably looks bad context of a 772-square foot three bedroom. The reason the one bedrooms are the way they are is due to another esoteric building code. To put a unit on the ground floor you have to have one of a few different options and the one we chose was the commercial height ceilings. One bedroom unit with 20-foot ceilings. The way you make a unit in that space is make it a loft. It's not a good unit for us. It's not going to respect for a good number per square foot, the metric that the developers use. This is not a retail location either. This is an opportunity to revisit the retail requirements but that is not what the conversation is about. That really doesn't, it's not part of this conversation. You know, that is making us do something and then holding us accountable for having done it. So, you know, if you exclude that, then you look at where most of the demand for the requirements for inclusionary units came from in this building, it's from the studios. So 11, I believe it's 11 of the 13, 11 of the 13 units. Or 11 of the 15 bedrooms were generated from the studios. The studios are an average of the 356 square feet. 220% of that is a shade over the 772. So I believe the proposed requirements in the new version of this and Shannon can correct me if I'm wrong here would require that the three-bedroom be 220% of the studio. We are 217% of the studio. So, I don't believe we're far off from even the

April 21, 2121

aspirational requirements in this building that is under the old or the current requirements. It's worth adding after we went through the entitlement process, granted the approval, pbob changed the dedication requirements. Which made the studios bigger. So had they not done that, we would have been over the 220%. So it's very complicated. Then just to add one more layer to this, this building is two years in the entitlement. This building got caught up in the comp plan amendment issue for central city of last year. So, effectively we put \$500,000 in this. The city was unable to hear the design review submission because there was no zoning for the site. Six months later that was put back in place and we started again. So we went through code and all that. Somebody on the call mentioned you started thinking about this six months ago. Six months ago should have been when you were voting on this multnomah if not for the city that -- voted on this multe if not for the city. We are doing our best. I apologize if it's sub optimal outcomes but it's better than that inclusionary housing units at all. We are committed to doing our best and create the future policy that works for everyone and participate in it.

Wheeler: Thank you, Mr. Del Vecchio for being here today -- Mr. Del Vecchio giving that context. We appreciate that. Commissioner Hardesty?

Hardesty: Thank you. I want to thank Mr. Del Vecchio for being here. Mr. Del Vecchio what is the square footage per bedroom in your anticipated three-bedroom unit?

Del Vecchio: I don't have that handy. I believe that Carrie Strickland is on the call. She could possibly answer that. She may have it. The principal works architecture. A bedroom is typically 90 feet. I do not believe that our bedrooms are much different in those units. Albeit slightly smaller than the rest of the building. Carrie, if you are able to raise your hand.

Carrie Strickland: Um --

Hardesty: I can hear you, Carrie.

Strickland: Great. That is right. The bedrooms in the building average around 100 square feet each. These are similar to that.

Hardesty: They average 100 square feet. I'm trying to get a real number around if you have a studio that is 800 square feet. You got a one-bedroom that is how many square feet is that?

Strickland: The one bedroom as Paul testified are outliers. We only have four of them on the ground floor. Those are the larger ones. Those are 810.

Hardesty: Yes. I just want to know if any of you would live in those bedrooms that we are putting three bedroom unit that is smaller than a studio. I'm just trying to get a sense. I think you guys are trying to wiggle around the answer to my question.

April 21, 2121

Strickland: No. No. Not at all.

Hardesty: Okay. So let's try to get a clear answer. What would the square footage be in this three-bedroom unit for the bedrooms? 50 square feet? Is it 20?

Strickland: It's 90 square feet. So my point about the average of the 100, it's 90 square feet. That is not just on the two bedrooms. We have some of the two bedrooms, you know, that is a really typical bedroom size in a development project.

Hardesty: In your development project.

Strickland: I'm saying in development projects in general. Including probably the 4,000 units that I have personally designed in the city of Portland. So as an architect, I know that floor plan design itself is way more important than the size of the unit. This is my area of expertise. One bedrooms are larger, the two bedrooms are very close. But this is what, this is definitely my area of expertise. The bedroom, the three-bedroom, we were talking about they are functionable. They have the three distinct bedroom with the operable windows. The same living and the kitchen area --

Hardesty: All with windows, doors, et cetera. I just -- we have been talking about this at the city council for much longer than six months. We have been having this conversation for the whole three years I have been here. And we have seen these kind of proposals in the past. But honestly, I have never seen this one outrageous and egregious in my humble opinion that we would have a three bedroom unit. I'm thinking about what the family experience would be in the building that is --

Strickland : We want to talk about that. I have, I signed up to testify as well. I do have some comments about when you are looking at a development project, you talk about the functionality of the unit plan and the layout. You can have a large unit that is not functionable. Not space for living furniture, dining areas, et cetera. So it's really important, that is why I lean on the statement as an architect this is what I'm doing. Building design, unit layout is way more than just a number on the page. It's flow. It's natural light. It's size configuration of a bedroom, itself, and storage. In addition to that, this project in particular is one of the most notable, exciting aspects is the amount of the shared space in the building that is open to all residents and their guests. Like all the units have shared access to protected outdoor area grade, there is a coworking lounge, a large fitness room, a rooftop deck with a kitchen and a bathroom. All told this building has 6,000 square foot of indoor and 2700 square feet of outdoor common area dedicated to residents. So, in the building that all of the units with are a bit smaller than average,

April 21, 2121

which development does in particular is expand on shared experiences as well. So that can't be discounted in a policy or in a general square footage of a unit.

Hardesty: I appreciate that, Carrie. So I have a question to follow up on that. If I'm one of the family units and I have three small children, my experience is going to be a lot different in that building than the singles who are there to mingle and hang out and enjoy the environment. It's not going to -- I don't think that me and my three children would be that welcome hanging out in the spaces with my little children with a bunch of adults who consider themselves in an adult building.

Strickland: Well, I think the issue that you are raising right now, commissioner Hardesty, is in direct conflict with the spirit behind inclusionary housing and incorporating them in the market rate buildings. The experience that you are talking about would rely, you would, you know, it sounds like that experience would prefer to be in a building with just dedicated to the family units or inclusionary housing, which --

Hardesty: No, that is not --

Strickland: You will naturally have that integration -- [overtalk]

Hardesty: There is a significant difference when you have 134 units -- sorry, you have 13 units. Only five of them are -- yeah, only five of them are family units.

Strickland: Right. Again, that reconfiguration option exists. We are vested under that. That is the policy. We have been tracking this project for many years. I can understand the desire around the conversation to kind of weigh the merits of that. But the fact is you have a mix of unit sizes in this building. That is up to the developer and the right of the policy to reconfigure and apply these kind of, frankly, the three bedroom units are the hardest units to find in the city. You can't build a building at market rate with all three bedrooms to support that family. You have to rely on the fact that you have integrated inclusionary housing units in a market rate structure.

Hardesty: I'll stop you. You have testimony to give. I'll turn it to the mayor. Thank you for allowing me to get a couple questions answered.

Wheeler: You bet. Commissioner Ryan?

Ryan: Yes. Mayor, I'd rather hear the rest of the testimony and then ask my questions then.

Wheeler: Okay. Very good. So why don't we do this. Since we are sort of at the public testimony point. Why don't we have Ms. Strickland go first. Carrie, you can say whatever you'd like to say and give your prepared testimony in addition to the comments and the questions you just received. So, if you will bear with me, Keelan, take Carrie out of order and you can go to the rest

of the public testimony list, please.

Strickland: Okay. I'm Carrie Strickland, the founding principal works project architecture located in the central east side. Since 2005. Thanks for having me here today to talk about the project and the effort to support and approve the project multe program. Policy and design go hand in hand. I follow policy closely and I'm actively involved to help shape the policy within the city. We have established a design office that allowed locally and -- lauded locally and nationally for architecture and we're 100% women-owned business and we know about meaningful interventions and contribution to the community. Paul testified that this has a mix of the micro units and the studios which makes up the overwhelmingly majority of all the units in the building. In addition, there are a number of the ground floor units and handful of two-bedroom unit and it makes the base count used in the reconfiguration of inclusionary housing. I mentioned to commissioner Hardesty, the floor plan design is way more important than the size of the unit. Careful configuration on layout and the flow and natural light and access to the common area has way more impact on the livability of any unit type. Particularly, in a building with the smaller than typical units across the board. You have a development team that is committed to the project. And committed to upholding the spirit of integrated inclusionary housing. Providing the livable three bedroom unit within the building results in a healthy mix of the folks looking for affordability of a small unit and the missing three-bedroom units that are often excluded from market rate buildings. Three bedroom has kitchen and the same as the market rate unit. A notable and exciting access of this, all the units regardless of the designation have the same access to amazing amenity package. Repeat the numbers again but total of the 6,000 square feet of indoor common area and total of the 2700 square feet of the outdoor common area dedicated for all the residents and their guests. This project has focused on providing those exceptional amenities to offset the small unit footprint in the building as a whole. This approach applies to all of the units in the building not just affordability units. There is more to livability than the square footage. The quality of the project and the positive impact it will have on the inhabitants will soon speak for itself. I urge you to consider all the factors when you consider your approval for the project. Thank you.

Wheeler: Appreciate it. How many folks do we have signed up?

Clerk: We have four people on the line to testify.

Wheeler: Excellent. All right. Very good.

Clerk: First up we have Noel Johnson.

April 21, 2121

Wheeler: Welcome. Thank you for being here.

Noel Johnson: Good morning. Can you hear me?

Wheeler: Yeah. Loud and clear.

Johnson: Good morning. Thank you for considering my testimony. I'm a 42-year-old citizen who worked with the talented teams to create a couple of thousand new housing units over the past two real estate cycles. I'm also impressed by the directness and the results oriented focus this morning. I have been listening for the last hour and a half. It's pretty cool. In this light, I think it would be helpful to start by reminding us all that the city has less house progress duction going on right now through the land -- housing production going on than the lowest point of the last recession. We remember how severe the shortages were and how it really led to craptacular situations a few years after that. I mention this because --

Wheeler: Extra credit alert there. Extra credit.

Johnson: Thank you. Thank you. Wait for it. I'm bring it down to the end. But the project in front of you today is really one of the only handful of the projects not funded by the public that was advanced over the past year's recession and pandemic. So I think it's reasonable to be thankful for persons who risk the money and the time to keep it going. It's important to consider the project in the broader context today. Because it's a great opportunity this morning for basically, from you, a thank you for producing more housing. We need it expression. Because that would let others thinking about resuming the housing production efforts in the city to know they can count on the city leadership to honor existing rules. This being notion that is fundamental to the liberal democratic norms. When we violate that, it leads to pretty craptacular outcomes. You can send a strong signal. Better city leadership understands 90% of all the city's new housing emanates from the private sector protagonists like Paul and you are not performative but the problematic leaders. Thank you for your time and listening. I hope you have a good day.

Wheeler: Thank you for your testimony. Next up, please, Keelan.

Clerk: Next up we have Michelle Plambeck.

Wheeler: Welcome, Michelle.

Michelle Plambeck: Can you hear me?

Wheeler: Yes. Good to hear you.

Plambeck: Fantastic. I'm Michelle, and I'm here today as a registered representative of the Oregon smart growth, group of civically minded responsible developers and investors that works to create economically, socially and environmentally sustainable future. This unit

April 21, 2121

reconfiguration has been approved by the Portland housing bureau and the progress team relied to move forward. Oregon smart growth has been engaged on the draft inclusionary housing rules and the updated draft inclusionary housing rules that specify reconfiguration sizes shared with us today. Shared with us for the first time. We look forward to the further commenting on them. The project before the council today and the reconfigured units meets the p.h.b. Current inclusionary housing requirements. To date, five affordable family sized three bedroom units on the market understood inclusionary housing program. It will provide another five three bedroom units doubling the number produced over the past five years. These units will be affordable to the households making up to the 60% of the median family income for four-person family. That is 55,000 or two adults working full-time at the minimum wage. Even though the demand remains high, Portland is under producing the housing at all levels of affordability, which is increasing the cost of the housing for everyone. One reason for the underproduction is the developer and the investor caution about the Portland market due to the lengthy permitting time line and the complex regulations which lead to the significant uncertainty. Council decision to reject the project multe application because it disagrees with the p.h.b. Housing determination would erode the faith in the market at a time we can least afford it. Thank you for your time today.

Wheeler: Thanks, Michelle.

Clerk: Next up we have Kevin Clark.

Wheeler: Welcome, Kevin.

Kevin Clark: Good afternoon, council, mayor. Thank you for having me. Kevin Clark. Resident of the Portland. 929 southeast 16th avenue apartment 4. As a member of the development community and a person who has personally been involved in the development of two buildings under the i.h. Rules that use reconfiguration to the three bedroom units I hope that the council finds time to support a unit and reconfiguration under rules and provides the most needed type of the housing that the market does not. For members of the community that provides stable home in the high-cost areas. I think it would be damaging to the city's housing market and for the production of the housing for city to reject a developer's good faith efforts to work within the established rules and norms. I thank you for your time.

Wheeler: Thank you.

Clerk: That concludes -- no, I'm sorry. One more person. Sorry about that. Sam Rodriguez.

Wheeler: Welcome, Sam.

April 21, 2121

Sam Rodriguez: Yeah. Okay. Sorry. Can you hear me now?

Wheeler: Yep. You sound good.

Rodriguez: One year later and I still can't get used to this. So, good morning, council. Mayor, and the councilmembers, thank you for the opportunity to address you. My name is Sam Rodriguez. 720 southwest Washington street. 97205. I'm the head of mill creek residential and multifamily residential developer. I head the division, the Portland division. I don't head the whole company. Just the Portland division. I'm one of your design review commissioners. But I'm speaking today more with the developer hat. It's hard to separate the other side of the things that we do. I'm here for you to express the need to support projects that follow the rules. This project has gone through a land use process through design review commission. We reviewed it. It has an unusual unit mix. That is part of the concerns that are expressed. But it went through the design review commission. Through that process we look at not only the units to a degree but we look at how the building interacts with this environment. That is part of the reason why this probably created this unusual four one-bedroom on the ground floor that are outsized. To bear in mind, there is more to just unit size to a building, than how it works with the context. So as that review process happens, some anomalies might occur. It happens that this building has an unusual unit mix. This unit mix, however, if you think about it. The size of the unit is creating organic affordability in the building. So keep that in mind that the small units which are throwing the averages in to the disarray of people's minds you are actually affordable units. This is how Europe, people can afford to live in Paris in some places because they live in tiny units or in other cities in the u.s. So I think you need to take that in to account when you look at this project, of this community. The homes being produced are necessary and needed. And the more we produce, the more we will control costs overall. Not just for the 60% and the 80% but for the 100% and 120% and the 140%. All of which need some help. To I beg you to please consider approving this. Which this project has met all the requirements from a land use perspective as well as from the inclusionary housing perspective. The other thing I want to echo some of my previous, previous testifiers, this event today made it all the way to Boston, San Francisco and LA. I have three projects in the market right now. I had three investors call me freaking out. "What's going on?" are we going to have our projects approved or not? You said it was okay that it will get approved." bear in mind that the decision you make today has a broader consequence than just this project. I'll leave it at that. Thank you.

Wheeler: Thank you, Sam. We appreciate that perspective. Thank you. Does that complete

April 21, 2121

public testimony, Keelan?

Clerk: Yes. That completes public testimony.

Wheeler: All right.

Del Vecchio: Pardon me, mayor. There is one other individual to participate in the invited testimony. Possible to have her give remarks?

Wheeler: Yeah. This is the time.

Del Vecchio: Alison reynolds.

Wheeler: Welcome.

Allison Reynolds: Hi. Thank you so much. I apologize. I had signed up as the public testimony but then also on this. Either way, this is great.

Wheeler: No worries. It worked.

Reynolds: Great. So I'm Allison Reynolds with stole reevers and I'm land use counsel for the applicant on this project. We want to stress how important it is on this project and all the other inclusionary housing projects that will come before you that the council and the housing bureau make decisions based on the clear and objective rules that govern inclusionary housing. As commissioner Ryan alluded to, council enacted the program in 2016 after extensively studying how to best balance the goal of creating affordable units without deterring investment and housing in the city. Since the low housing supply leads to agreement over time. Council developed necessary offset and the exemptions and that included a density bonus because council found these were necessary to ensure the program was balanced and met the city's goals. Council is clear that the offsets are a key component of the program. Under title 30 the inclusionary housing code if the incentive is not available it's not required to include inclusionary housing. Analog pdx is designed for mix of studio and family size units. It's critical for the developments to have certainty of the rules are to apply to a project early in development process. The housing bureau and this council were clear at that the rules at the time of the application for the project are the rules that apply. It's not legal or practical to apply draft rules not adopted today for a project that applied for a land use review in 2019. Under the city code and city rules multe available for those that meet inclusionary housing program requirements and those are clear and objective standards that allow reconfiguration of the i.h. Units to create more family size units. The analog pdx project meets the requirements of the inclusionary housing program which should be the only consideration in approving multe. That all said we strongly support the council effort to revisit the inclusionary housing program to make sure that

April 21, 2121

the rules create the desired policy outcomes. However, changes in the rules must apply only to the projects that apply after a rule change is implemented. Thank you.

Wheeler: Thank you. Commissioner Ryan, and then Mr. Del Vecchio again.

Ryan: Thank you, mayor. I want to start off by remind everybody this is a first reading. I want to acknowledge that it is great dialogue we are having. It would be odd if we weren't having this conversation. I appreciate Mr. Del Vecchio being here directly. And I see your hand is up. I'm sure we'll have a dialogue coming up real soon. I also want to acknowledge leadership of direct -- also wanted to acknowledge leadership director Callahan and provide where we are going with this. When you implement complex policy and it becomes action it's common, everyone knows this, that you discover kinks and you want to make it better. So, we are always in the world of continuous improvement. That is part of why we are having a thorough dialogue now. I'm aware of some of the angst that you brought up about what it is like currently to move work in the city of Portland. Notice we are actually have launched and active in difficult conversations in the permit improvement task force. A riveting thing going on in the city of Portland right now. We are looking at improving efficiency and quality of how we work with all of you as partners. All of the things come together. Now I want to give you a little bit on why when I first saw this I had a reaction. This goes back years. Like 20 years ago. I would say to people at that time we are desperately in need for low-income housing for families. We don't have enough two or three-bedroom units. I was on the school board later and enrollment were dropping and all the units we put in the affordable housing, especially in the central city were studios and one bedroom. So I look at the project to see if they have family-size units. So with that in mind and I just started to go deeper in the size of the units. I started to look at how big a bed is. And would it fit in a bedroom, in a three bedroom unit. The disparity of the size of the three bedroom compared to the one bedroom unit. We are getting a lot of information about the building itself but I want to focus on the three-bedroom unit. That is what got everyone's attention if you will. I would love to see a visual of the actual unit itself and the size of the bedroom. Is that possible to do that, Paul? It is. I could do it as well.

Ryan: I'm staring at you and I figured you could do that.

Del Vecchio: I appreciate that you are thinking about all of this. It's very important. I would like to add that --

Ryan: Well, stay on the bedroom size first.

Del Vecchio: Sure. I'll dig it up.

April 21, 2121

Ryan: My point is commissioner Hardesty was smart to lay this out. So you are building, you are putting in a building with the three bedrooms that should attract the families. And you are near schools. All of this makes one happy that has been a child and youth advocate for years. Yet, are these really built for families? Are these built for reality show for, you know, singles that are going to be cramped in the bedroom and hang out with others? It's a lovely idea but I want to focus on the mother with three or four children. What would they be able to rent this unit? Would they find that satisfying? That is why it is important to look at the actual size. Well, there you go. Maybe we could blow it up, enlarge it a bit. Especially when we look at one of the three bedrooms.

Del Vecchio: I would -- may I respond to what you --

Ryan: As long as you guide us to where one of the three bedrooms is.

Del Vecchio: We are looking at it. If you can see my cursor, this is the unit here. I would like to add that part of what I'm hearing is that not only would you like us to provide family-sized affordable units, part of the goal here would be possibly to provide family-size market rate units for them to be next to. I have to tell you flat out that is not economically possible. Part of the way we are subsidizing the three-bedroom units is by providing micro studios. Which both provide as Sam Rodriguez mentioned naturally affordable housing, albeit for a different demographic. But they also return a bit better. So it's a offset in a way. So in a somewhat ironic way, the inclusionary housing law has led to micro studios being more attractive as a market-rate development product. I would like to add that I would be happy to and I'm sure any of the other representatives of the agaiment community would have been happy to discuss this in the past or the future this version of the discussing it at this hearing has cost me many thousands of dollars. Getting emergency phone call and kicking together legal team and architecture team to represent me on at a hearing is a wonderful policy discussion to have and I'd like to be involved in it. But it doesn't seem to be the forum. But on the screen is the three-bedroom in question.

Ryan: Thank you. Compare it to the two bedroom next to it to the left?

Del Vecchio: There is a two-bedroom next to it. This is a two-bedroom. Not the only two-bedroom. Mind you two-bedroom are also family-size units. Every time we guess who live in a building we are wrong. It costs a certain amount with certain amenity and transit that appeals to a broad swath of the population.

Ryan: I understand. We are focused on the low-income families are in this building.

Del Vecchio: This is a two-bedroom next door and approximately the same size. Bedrooms in

April 21, 2121

this case, this is smaller than the bedrooms of the three bedroom unit. This is a bit larger, more of a on-suite bathroom. Primary and secondary unit. Where in the three bedroom, I wouldn't qualify, perhaps this is the primary down here and these are two secondary. Here is one of the larger studios next door. This is a 396 square foot studio. I'll pan over. You can see what a smaller micro looks like. This is 313 feet. This is the naturally occurring affordable product.

Ryan: Right. You mentioned this has high ceilings, correct?

Del Vecchio: This is the second floor of the building. So it's mostly dip call on the way -- typical on the way up. I can navigate to the lower floor --

Ryan: On the three bedrooms, the three-bedroom units you had up. Can you actually even fit a double bed in there with a --

Del Vecchio: Yes. We test fit queens in every bedroom. You could fit a queen in any bedroom. I may have one side night stand instead of two but they fit in every bedroom. We don't consider this three bedroom to be substandard product by any measure. Commissioner Hardesty asked a question whether we would live in it. I have lived in something this size. The answer is yes. It's a context question. I grew up in a place living in apartments was very normal.

Ryan: Yeah. You said, do you know of families that have children say 3 to 4 children or five children that live in such units of this size across the city? Have you talked to them?

Del Vecchio: So we have -- you know, I have to say everyone plays a certain role in the development process. You know, we are a pretty special purpose tool as a development company. We take the regulations, we translate them to what we think is a product that will appeal to the people that would invest in us. And carry out a technical process. So the answer is no, I haven't done any --

Ryan: I know it's helpful. You mentioned that. That is why I asked --

Del Vecchio: We have other, I have these rented in another building. It's working. Having what is qualified as a sing that might want a party -- single that might want a party could be someone hard working that would be happy to provide daycare or child care. I think the community that can be created by having the various type of the demographics are people with the different living arrangements could be productive. There is a group called bridge meadows in the city. It's reach to compare this to that. One of the basic premises of the organization to provide younger people with families with older people that have time to provide to each other. I don't think is that different.

Ryan: I know the executive director and they have a lot of services that connect the dots to

April 21, 2121

provide the relationship. I understand the comparison but we know it has a lot of the wrap-around services to make it come together. So that is -- let me ask you this. This is a first reading. My office would like to go to some of the buildings where families are living in such quarters. I am an advocate of family housing, near parks and I want to make sure we can get it right so they will be populated with the families. It's difficult to see if that is possible. I want to say how important it is that the housing bureau is listening to the feedback and adjusting the criteria. That is good government. It's great government for you to come and have a dialogue with us. I know it wasn't on your schedule. We want to continue to increase the housing stock and make sure that the values-driven for families in Portland that attend the schools. So that is why we are having the conversation. I appreciate you being here today.

Wheeler: Thank you, commissioner. Commissioner Mapps?

Mapps: I have quick questions for staff. Start with director Callahan. I apologize if this is simplistic and this is a new territory for me and this looks like a complicate project -- complicate project. Did the project go through the process and comply to your rules?

Callahan: Yes.

Mapps: Now I have a question most appropriately answered by the city attorney. I want to hear about the legal risk the council may take on by turning down the proposal.

*****: Can you hear me?

Wheeler: Yeah.

*****: I'm hesitant to lay out the legal risks in a public forum. I will generally advise the council that the authority to approve or deny this today does lie with the council. That is a statutory requirement. It doesn't mean that the council could act with complete discretion. We will point you back to looking at the multe requirement in code and the rule and then those are the require that the project complies with i.h. And those are also in rule and code. So, you know, if council wither stray to the requirements it would create a legal risk for the city. But, you know, I would have to do offline evaluation of the council's, why council might be denying the actual application to really give a full legal analysis as to if that decision would be permissive under the rules and the code.

Mapps: Okay. Thank you. Certainly my staff would appreciate a briefing on some of the risks and the consequences that might be triggered by rejecting the proposal. Now I want to go back to director Callahan. Just so I'm clear, how many new units of affordable family housing will this bring online if we approve it?

April 21, 2121

Callahan: Thank you, commissioner Mapps. This building has five three-bedroom units that would be designated affordable for 99 years. "affordable" meaning at 60% area median income. The developer has chosen to go deeper with the affordability. They are only required to comply 80%. But they have chosen to be go down to the 60% option. Which reduces the amount of the units they have to provide because we have made a policy choice we are trying to get to deeper affordability, even though we are not allowed under state law to require deeper affordability than 80%. So it's five three-bedroom units.

Mapps: Thank you. If we do not approve the proposal, how many new units of affordable family housing are we going to bring online?

Callahan: It's the developer option. My assumption is I don't want to speak for Mr. Del Vecchio. They would not be obligated to comply so they would be relinquished that and my assumption is actor would not make affordability if they were not receiving the incentive to offset the cost of the affording the affordability in the 99-year period.

Mapps: Thank you, director Callahan. I see a bunch of hands popped up. I just want to give my colleagues on council framework for how I'm thinking about this. I recognize the bedrooms are small. We have all learned that. I congratulate the housing bureau for proposing new rules that preclude the development. Something else I'm thinking about is the single mom in Portland with the two kids just looking for a house for her kids. So they can close the door and be safe. It breaks my heart that we might do something today that might proinclude -- proinclude that. Thank you -- proclude that.

Wheeler: Thank you, commissioner Mapps. Adrian, you have your hand up?

Adrienne Delcotto: My hand was up earlier. I forgot to take it down. My apologies.

Wheeler: No problem. Commissioner Hardesty?

Hardesty: Thank you. I have a question for director callahan. If the council chooses not to support the proposal the developer as the option of moving forward without including the three bedroom units or doing three bedrooms by market rate or whatever else development would want to do. Is that accurate?

Callahan: There will be some complications for the development if they do not proceed. There are bonuses attached for the area ratio bonuses attached.

Hardesty: It will have an impact.

Callahan: It will have an impact that will be determined for the developers themselves. Mr. Delvecchio could explain what the issues are. But they are ready to proceed. This is one of the

April 21, 2121

final steps to the development of the building. So denying, we had contemplated, it's why we, we had not contemplated when we drafted this original inclusionary housing code, situation that individual multe would be denied but we did contemplate at some point we would reach the overall cap if you may recall. We have agreed on a cap with the county about the amount of tax exemption that can be provided. So we set the trigger in the code if the tax exemption wasn't available then the project wouldn't have to comply. But we anticipated that more Announcement we reached the cap and couldn't use the inclusionary housing for some period of time. But I believe it's complicated for developer if council denied the multe.

Hardesty: Director, we have had the conversation quite a bit in the last three years and we have had other projects we looked at mindboggling, very similarly because we are attempting to mix families in singles in an environment we think will not create conflict. Or that somehow everybody is going to singing kumbaya in the process. We know when we have young children in buildings, there are complaints especially from the singles who are unaccustomed to the noise children make. We learned a lot from the time multe has been in place. We continue to learn we don't have enough access. It's just not a bedroom but able to be comfortable in your home. Right? Just because you have a three bedroom apartment doesn't mean that you can be comfortable and you can go to the open spaces in your apartment complex. Right? We don't all have the same experience of the comfort when it comes to open spaces and buildings. We continue to learn from this program. We give away a very minimal amount of the tax dollars and in return what we get is property that, quote/unquote "affordable" for 50 years. 99 years. Sorry. I guess my last question is so at this point, this project is not approved -- in this community there is a need for three-bedroom units. Right? You would agree with that, director?

Callahan: Completely. Yes.

Hardesty: I guess my concern is that we continue to pass projects that don't meet the letter of the law. They don't really pass the sniff test when it comes to how are people living and thriving in places we say are affordable. I heard there are a lot of naturally affordable housing in this development. What does that mean? I don't see anything other than the tax reduced properties that could be everyone considered low-income units. Why are they referred to the naturally affordable housing.

Callahan: That was not from the housing bureau but the developer themselves. I believe they were trying to indicate as you know when the market building smaller and smaller units they rent for less money. So market units sometimes charge less and I want to say that we know there

April 21, 2121

are serve buildings potential -- seven buildings potentially in the current development that would apply with the old reconfiguration rules. I just want to say that Michelle is correct. The development community has not seen the final administrative rules yet. Part of our challenge in adopting the rules is looking at the various scenarios we have continued to see. So wanting to make sure that we were not creating a similar situation to what I think council indicated they don't want to occur any more. So it's a very complex, calculation on our part. And so, our goal is to reach some of the same policy goals that the council expressed on the family unit reconfiguration option.

Hardesty: Thank you, director. Mr. Delvecchio, I'm not without empathy and compassion for how long it takes to get a permit, how long it takes to go through the process. How long it takes to get a development ready to go. So I want you to know I have learned a lot in my three years here about just how long it takes from the time you imagine something to the time that you are just about to break ground. I know that has been exacerbated by covid and by economic devastation that we are currently experiencing in this community. So, I just have one last question, which is what do you mean when you say "naturally affordable" for the studios and the one bedroom?

Del Vecchio: Yes. Thank you for giving me the opportunity to clarify that and expand on it. For us, it's very important because part of the core of what we build which we also build outside of Portland is building the units we believe to be less than market value for market rent for new buildings. Comparable new buildings. So, there are only a couple of levers to pull to make it less expensive. You can move it to a different location, you can make it a different type of building, you can subsidize it or make it smaller. We like to build in transit-oriented urban area and they usually come with the codes that drive what you can build. One of the last measures you have is making it smaller. We build unit buildings that include micro unit type. If you see the average of ours 356-square foot average per studios it doesn't tell the whole story. About half of those are 300 feet. The rest are larger. Whatever the opposite of that, 400 feet. So, in those 300-foot units we have a building up on north interstate near killingsworth where the cheapest of those are under \$1,000. That is inexpensive by the market standards. If you were to compare that to 80% or the 60% a.m.i. Respect for the unit type -- a.m.i. Rent for the unit type that is very close. So maybe we are just under 100% of the a.m.i. Which is generally affordable compared to the other market rate options. So one option here, and I will put this out here as an alternative and you can tell me if you want it. Ke are ditch reconfiguration. We didn't ask for it. We want to build what we

April 21, 2121

want to build for the market rate. What we think the market needs. And then you know accompanying that is the i.h. Units which we integrated in a way we thought was best trying to meet the policy agenda. We could build the 11 studios to two bedrooms as i.h. And reach non-configuration version or the 12 studios or one three-bedroom, if it's possible. I don't know if it is. I think it is. But what we get is the less affordability because the difference between the natural rent for the studios and the i.h. Rent is not different. Shannon's presentation showed you the difference between the three bedroom and the three bedroom market very different. So sociologic stuff aside which I'm not going to try to have an opinion on, the economics really point to the three bedrooms that are the better option.

Hardesty: I appreciate you taking time to be here today. I know that it is probably a bit frustrating for you to be here for this conversation. But you have actually helped answer some of my questions. I'm grateful for that. Thank you.

Del Vecchio: Happy to do it. I really did appreciate the dialogue and hearing several conversations before this one. Aside from spending a few thousand dollars I didn't think I needed to spend and casting doubt on an entitlement process that doesn't need it, it was generally positive.

Hardesty: You were doing so well, sir. Now you're going off the edge.

Del Vecchio: I blew it up. Had to get it in. Sorry.

Wheeler: Hey, Paul. Thank you. Your participation today has been extremely well received. Thank you. You provided a lot of the professional expertise. You can provided a lot of the context. I appreciate that. Thank you. And the others who testified today as well. Carrie and others have also provided a lot of really good context. Thank you for that. Colleagues if there is nothing more on this, I will move it to second. Any further discussion?

Ryan: I want to add a couple comments. I want to echo what you said and I think I want to say we want to add affordable housing units to the pool. We all want quality units with a positive population result for the low-income families. And especially for the bipoc community. Portlanders entrusted us with the subsidiaries and the tax credit and the zoning changes to responsibly allocate resources to increase housing opportunities for families. And the individuals that are facing the challenges. So I just want to thank my colleagues for the questions and the engagement on this item. This is what a first reading is about. Thank you, director Callahan and Matthew, being here. And also to the analog team, Paul, Carrie, Alison for being available, period. Good dialogue. Thanks.

April 21, 2121

Wheeler: Well said. Thank you. You first reading of a nonemergency ordinance. Moves to second reading. Thank you, everybody, for that. Next up, a slew of the second readings. The first being item 267.

Clerk: Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the sunnyside south/ladd's south reconstruction and green streets project no. E10368 for an estimated cost of \$10,330,000.

Wheeler: Colleagues, this is a second reading. We have had a presentation and the opportunity for public testimony. Is there any more business on this particular item? Seeing none, please call the roll.

Clerk: Ryan?

Ryan: Aye.

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Wheeler?

Wheeler: Aye. Ordinance adopted. 268, also a second reading.

Clerk: Authorize a competitive solicitation and price agreements for the urgent repair of sewer and stormwater systems for an estimated Annual amount of \$2,200,000.

Wheeler: Further discussion? Seeing none, call the roll.

Clerk: Ryan?

Ryan: Aye.

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Wheeler?

Wheeler: Aye. Ordinance is adopted. Item 269, second reading.

April 21, 2121

Clerk: Amend management agreement with kemper sports management, inc., for colwood golf course for an additional seventeen months in the amount of \$2,500,000 for a total contract amount not to exceed \$6,179,013.

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

Clerk: Ryan?

Ryan: Aye.

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Wheeler?

Wheeler: Aye. Ordinance is adopted. Item 270. Second reading.

Clerk: Amend management agreement with kemper sports management, inc., for heron lakes gold course for an additional twelve months in the amount of \$2,500,000, for a total contract amount not to exceed \$9,807,912.

Wheeler: Colleagues, any further discussion? Seeing none, please call the roll.

Clerk: Ryan?

Ryan: Aye.

Clerk: Hardesty?

Hardesty: I want to thank commissioner Rubio for her vision in making the contracts be on the same schedule. So that we could assess whether or not with the feature of -- what the future of the contracts could or should be. Great leadership. I vote aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: I want to thank the bureau and my team and also golf manager Vincent Johnson helping move this forward. I vote aye.

Clerk: Wheeler?

Wheeler: Well, if I can't play golf well, at least I can vote well on it. Commissioner Rubio, thank you to staff and everybody who gave us extensive both testimony and a better understanding of

April 21, 2121

the issues and this contract. I vote aye. The ordinance adopted. Last but not least, 271, please.

Clerk: Approve findings to authorize exemption to the competitive bidding requirement and authorize the use of the alternative contracting method of construction manager general contractor for the mill park construction project for estimated amount of the \$7,500,000.

Wheeler: Seeing no further discussion on this second reading, please call the roll.

Clerk: Ryan?

Ryan: Yes, I'm excited for this to grit up and running for the students and the families of the David Douglas school district. Aye.

Clerk: Hardesty?

Hardesty: I will be looking forward to the reports of how we exceed our aspirational goals on this project. And I look forward to updates on a regular basis to ensure we are not resting on our laurels. I'm happy to vote aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: I want to thank parks capital project manager robin Johnson craig for her dedication to the mill park development and to the community and the work she has done. I'm proud that this is moving forward and getting us closer to delivering a new park, to the vibrant and the diverse mill park in east Portland. It will be a great place for the kids and the adults to enjoy healthy activity and build community. Robin shared last week parks has had success in using construction manager general contractor/contracting method as a meaningful and engaging approach to meet the m/w/esb contracting community. I expect parks will continue to be a leader in supporting this and I'm eager to hear updates about how this is going. With my colleagues. And others to come. I vote aye.

Clerk: Wheeler?

Wheeler: Thank you for everybody who testified on this. And staff. Thank you. And commissioner Rubio and your team. I vote aye. The ordinance is adopted. That completes our business. Just a heads up, both commissioners Ryan and Mapps, the meetings we have scheduled have moved. So you are aware. Check in with your teams on those. We are adjourned until 2:00 p.m. Thanks, everybody.

Hardesty: Thank you. [meeting adjourned]

Council recessed at 12:25 p.m.

April 21, 2121
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.

April 21, 2021 2:00 p.m.

Wheeler: Under Portland city code and state law, the council is holding this meeting electronically. All members are attending remotely. [covid information].

Wheeler: We'll hear from legal counsel.

Linly Rees: Good morning, commissioners. You may sign up in advance to comment, to briefly speak about any subject. You may sign up for public testimony on resolutions or the first readings of ordinances. The agenda at [Portland, Oregon.gov/auditor](http://Portland.Oregon.gov/auditor) has information but how and when to sign up for testimony. Your testimony should be addressing the matter presented at the time. Please state your name for the record. Your address is not necessary. Please disclose if you're a lobbyist or if you're representing an organization, please identify it. The presiding officer determines the length of testimony. Individually people generally have three minutes unless otherwise stated. Disruptive conduct, shouting, refusing to conclude your testimony when time is up or interrupting council deliberations will not be allowed. If there's a disruption, there will be a warning that the person may be placed on hold or ejected for the remainder of the meeting.

Wheeler: Commissioner, could you do a mic check for us.

Mapps: Can you hear me?

Wheeler: I can hear you fine. Appreciate it.

Wheeler: We have one item for this afternoon. Item 272. The spring bump.

Clerk: Adopt the fy2020-21, spring supplemental budget and make other budget related changes.

Wheeler: Colleagues before us we have the spring supplemental budget more commonly known as the spring bump. We discussed my spring bump at a work session last week. In light of the covid-19 pandemic and its impact on the city and the -- I direct them for focus on necessary

April 21, 2121

allocation to end the year on budget, or to meet urgent community needs in light of the continued covid-19 pandemic. Once again, I want to express my gratitude to our excellent bureau leadership and staff that continued, I think thoughtfully and flexibly to manage operations and finances throughout the crisis. Bureaus greatly limited request or scarce general fund dollars and several bureaus returned resources to the general fund. I want to thank them for that. Mid year budget check in is generally technical and boring in nature although our last few budget conversations have been anything but. This action will include significant new investments in the community. We're supporting cash Oregon to provide tax preparation to help low income Oregonians throughout extended filing deadline. We're kick starting the work for the voter approved police oversight commission which will establish proceeded rules and policies for the eventual police oversight committee. We're restoring funding to venture Portland to continue supporting our neighborhood business districts. We're building an outside review of the Portland police bureau's culture. We will invest more than one million in the social fabric by funding clean-up and park staff and active spaces and community organizations to bring community events to our shared spaces. We're committing millions of dollars to our work co-created with community partners to interrupt and prevent gun violence. Procedurally here's our agenda today. First we're going to have budget director Jessica Kinnard walk us throughout ordinance. Then we will offer second amendments to the ordinance. After that we'll take public testimony of course, and finally we'll move to deliberation and votes on the amendments and then votes on the ordinance as amended, assuming there's amendments. I turn it over to director.

Jessica Kinard: Thank you. My name is Jessica Kinard. I'm here with Michelle Ruben. We have a work session as you know, on April 13th where we reviewed the details of the supplemental budget and the changes therein. So today in my presentation, I'll revisit the purpose and practice of the spring bump and review the mayor's supplemental budget at a high level. We'll discuss proposed amendments and have public testimony and vote on amendments in the supplemental budget as amended. Next slide, please. Robert. Next slide. I think you can skip ahead. Just reviewed the agenda, thank you. As we mentioned before, the spring bump is a second of three budget monitoring processes that we undertake each year. It is meant to provide year end financial projections, make current year budget adjustments and trip costs between fiscal years. This includes program carryovers and fund balance based on the comprehensive annual financial report, interagency adjustments, allocation of contingency

April 21, 2121

resources and other technical changes. Bureaus may also request compensation set aside that is budgeted for cost of living adjustments and health increases. Bureaus may appropriate new resources or request general fund contingency for need that cannot be accommodated in the current year. Next slide, please. So as noted in the opening remarks, the mayor issued updated guidance based on the covid-19 emergency that narrowed the focus of the request and what is ultimately included in the proposed bump. So in all funds, the mayor's budget results in a net increase. I want to extend my thanks for their diligent financial management. The return to the general fund was really helpful. I think we can go actually to the next slide, please, Robert.

Kinard: The mayor's budget results in appropriations totaling 1.79 million dollars. Sounds like a lot but it is primarily outside the general fund and most significant adjustments are trueing up fund balance numbers in several large funds, environmental services which is recognizing a very large amount of -- of debt financing for their large capital improvement plan. It also represents changes and timelines as well as new allocations and urgent community need in light of the covid-19 crisis. So the mayor's proposed spring supplemental budget totals 1.4 million dollars. These requests provide funds to Portland fire and rescue bureau and the police bureau. They have been set aside and included in the mayor's proposed bump. The mayor's proposed bump includes general fund requests of 3 million which funds five requests in five bureaus. The mayor's bump also includes carryover requests 3.2 million and 15 requests and nine bureaus. And the bump includes a total of 531,602 dollars being returned to the general fund which is helping support the new request. As we walk through these items, I'm going to pause right here and see if there's a desire for me to walk through any items or categories that are included in the mayor's proposed in more detail. If there's no interest in me spending time on this, we'll move along. Any questions? All right. Next slide, please.

Kinard: After -- assuming the changes included in the mayor's proposed spring supplemental budget, there would be a total of 10.4 million budgeted in our general fund contingency account. This includes approximately, you could see, 1.065 million in unrestricted contingency for urgent and unforeseen needs over the remainder of the fiscal year. It includes 3.2 million in program carryover and 6.2 million in policy set aside accounts. That includes 80,000 in the stability reserve. All resources that are available in our policies set aside will be carried over for the same purpose or be used to balance the budget if resources are no longer needed. They assume to be in the policy set aside account. I'm available to answer questions again about the proposed budget before we move into amendments and testimony. Hear no questions, I think

April 21, 2121

we will move to offering of amendments. I'll turn it back over to you, mayor.

Wheeler: We're now going to hear second amendments. I've a list of amendments that have been gathered by the city budget office, I'll read those first and then I'll open the floor to any additional amendments for my colleagues. We'll read each proposed amendment and seek a second in turn as we always do. Now for the amendments have been placed on -- on the table for discussion. We'll hear public testimony. We're not going to vote on amendments prior to hearing people's thoughts on this. So with that, colleagues, I have a number of amendments. Amendment number one is a motion I like to make as adjustment to the supplemental budget as proposed. Increased bureau program expenses in prosper Portland general fund by 250,000 dollars for small business repair grants. The source is carryover funding. Reduce the policies set aside by 250,000 dollars to fund this change. Update exhibits one through five as needed to reflect this change. That's the proposed amendment. Colleagues. I have a second from commissioner Hardesty. This amendment addresses what i see as an urgent need for small business repair funds as I complete my final proposed annual budget and insuring that the carryover requests for 311 is -- is fully funded with one-time resources. These actions solve timing issue between the current year budget and the annual budget as we seek to address immediate small business needs. My next amendment is one that i intend to -- to include as part of my originally filed proposed. Because of the time frame, I was not able to include it in time. I'm requesting an amendment as follows now. The motion to the supplemental budget is proposed decrease program expenses if the general fund and in the office of the commissioner of public utilities by 30,000 dollars to be carried over into fiscal year, 21-22 for temporary staffing reports. This updates exhibits 1 through 5 as needed to reflect this change. Colleagues that's at the request of commissioner Rubio. Can I get a second?

Hardesty: Second.

Wheeler: We have a second from commissioner Hardesty. My next two amendments are -- are related to -- two weeks ago we approved landmark legislation, appropriating 6 million dollars in funding to address gun violence through community led solutions. Because our calendar end in June, we must make changes to make sure the fund are available not only in the current fiscal year but also the next fiscal year, which for the public oddly number, it starts July 1st. The next two amendments will true up the allocations between fiscal years and insure seamless funding is available throughout the summer. The motion, my third amendment motion to make the following adjustment tots supplemental budget is proposed. Decreased funds by 320,000

April 21, 2121

dollars to be carried over into the fiscal year 2021-22 for staffing need related to -- to the recently adopted council ordinance addressing gun violence. Decrease -- seconded by Hardesty.

Decrease the fund for parks and rec by 866,900 dollars to be carried over into fiscal year 2021 to insure continuity of funding for the parks ranger program work and addressing gun violence and change updated exhibits one through five is need to reflect this change. Commissioner Hardesty seconded. Wheeler is a motion to make the adjustments as proposed and decrease bureau program expenses in the general fund in the office of management a finance by 3 million 900,963 dollars to be carried over into the fiscal year 21-22 to insure a seamless grant funding program for community based organizations. Reducing impact of gun violence. Many agreements are expected to be finalized this summer requiring resources to fund the work in the fiscal 20-21 budget. Updates exhibits one through five as needed to reflect the change.

Wheeler: We have a second from Ryan. A little context, this will carry over the funding that is allocated in my proposed supplemental budget for this community led clean-up project for the coming fiscal year based on the feedback from the bureau and the time to update the city's contract with sol through the annual budget process and also working with commissioner Rubio to insure that dps has the staff capacity needed to provide project management support for the sol project and an additional clean and green initiatives. This is the motion. Decrease bureau program expenses in the bureau of mapping and sustainability general fund by 750,000 dollars to carrying over to 2021 year to support the city wide clean-up project led by sol in partnership with the city of Portland as part of the city's clean and green initiative. Increase general fund policy to set aside for the change and this is needed to reflect the change. Can i get a second?

Hardesty: Second.

Wheeler: Second from commissioner Hardesty, that's wheeler. Commissioner maps did you want to read six on -- on -- on -- oh, this is -- this is the one we're all doing. Never mind. Our office and Rubio's office and Mapps office are planning for a safe recovery. We need more funding to support community activations and healing events in the economic recovery task force, the community budget listening sessions, the pdx recovery and the events action table meetings and the joint volunteer information center summit. We heard that timing matters and operators and organizers and artists need a funding now. In order to put on activations and healing events for this summer into the fall. The need to hire people and apply for permits and create the experience established partnerships and the like. This amendment will increase the amount of funding going to support those events. The motion specifically would be to increase expenses

April 21, 2121

and general fund by 100,000 dollars for grants to plan and implement community events that activate spaces across the city and the city's art focused community healing initiative with priority for park organizations and artists. This increase will bring the total amount of funding for these grants in the spring supplemental budget to 275,000 dollars, reduce general fund and restricted contingency by 100,000 dollars to fund this change. Update exhibits one through five as needed to reflect this change. Can I get a second?

Hardesty: Second.

Wheeler: Second from commissioner Hardesty.

Wheeler: Commissioner Mapps, do you want to make a motion on this final one or do you want me to read it?

Mapps: I can read it. The purpose is to help council follow through the commitment reform and social equity and contracting programs, specifically the motion is to make the following adjustments to the supplemental budget as proposed. Quote, decrease program expenses in omf by 305,000 dollars to be carried over to fiscal year, 21, 22, to fund future revisions and refinements to the city's social equity and contracting programs, increase general fund policy set aside to balance this reduction and update exhibits one through five to reflect these changes.

Hardesty: Second.

Wheeler: Commissioner Hardesty seconds. All right. So we now have mayor one through six and Mapps on the table. Any third -- third further amendment that is my colleagues would like to offer at this time? Seeing none, do we have public testimony today?

Clerk: Yes. We have five people signed up.

Wheeler: Please give them three minutes each.

Clerk: We have kate merrill.

Kate Merrill: Good afternoon. Thanks for letting me speak. I'm executive director of central east side industrial council. I'm in the central districts. We strongly support the clean and green initiative work. And we have city concerns with the clean start program. We pull 4,000 pounds of trash Monday through Friday. We were able to do nearly that with 60 volunteers in just two hours. We're continuing to increase our services but we need your help. Through the clean agreement initiative, we're confident that we will find the coordination and get the city resources that we need to accomplish our goal of keeping litter out of our streets and keep the water clean and healthy for all. We encourage this for solutions for addressing large scale graffiti which overwhelmed our district and continue funding this in the future. We appreciate the

April 21, 2121

amendment to help small businesses through repair grants and just help address vandalism which is a big problem in our district as well. Thank you.

Wheeler: Thanks, Kate, appreciate your good work as always. Next individual. Commissioner Hardesty?

Hardesty: I wanted to appreciate what they do each and every day and the industrial area and just want to say thank you to the group. Without you there's so much good work that happened that would not have happened. You are my -- my heroes and sheroes and show up and how do you work with everybody if your community. I just wanted to take this moment to say you're really the model of what a -- of an enhanced service district should be. And what we should aspire to. I'm grateful for the years of support and good work you continue to do, a your organization continue to do. Thank you.

Merrill: Thank you so much.

Wheeler: Next individual.

Clerk: We have Kiyoo Kubo

Kiyoo Kubo: Hi, thank you for taking my -- my -- my comments. I wanted to appreciate all of the bold initiatives that are on the table and -- and support them. I also wanted to -- to mention I'm -- I'm sorry, I -- I forgot to introduce myself. I'm CEO of company called kudoh. We submitted an initiative. I'm not sure if any of you saw that or if i submitted it in time. But I'm looking -- looking at sarah and we had initiatives. All I've seen so far is fantastic. I definitely support all of the work that has been submitted.

Wheeler: Appreciate it. Next individual, please.

Clerk: Next is Sarah Shaoul.

Sarah Shaoul: Thank you for this opportunity to chime in on the spring bump. There's need in the community and I'm supportive of all of the items that were mentioned earlier today. I also want to -- I am working in collaboration with kio who just spoke. We we're collaborating on a gift card solution that is alternative to corporate gift card. It works around city procurement as well so that we can prioritize spending with our small business community. I would encourage you, I know there's a lot of budget talks, especially with the -- with the -- with the -- with the federal rescue package and the funds the city would be getting. I encourage you to take bold action to support innovative private programs and partner with -- with -- with efforts like ourselves so we could maximize that stimulus and keep that money circulating throughout the community. I ask what is the best way to submit that information so you could see that.

April 21, 2121

Wheeler: The best way would be to do it through the council clerk Keelan, can you give the appropriate e-mail address and then Keelan will get it to our offices.

Clerk: Absolutely. You could send it to councilclerk@portlandoregon.gov and that's councilclerk@portlandoregon.gov.

Shaoul: Thank you so much. Appreciate your time and appreciate all of the work that you all do. Thank you so much.

Wheeler: Love the card idea. I look forward to hearing more about it. Next individual?

Clerk: Next we have Amy Rathfelder.

Amy Rathfelder: I'm Amy and I serve as the portland business alliance. It represents the most diverse network of employers in the region. Currently we advocate for the employer community to advance well-being for those that work in the region and to support a healthy ecosystem. We represent every industry sector. Most of our businesses are small businesses. I'm happy to be here today on behalf of the alliance to express strong support for three allocations if the spring bump. The grants led organizations that will assist in activating spaces as we move into public recovery. The funding of parks and rec that support clean-up efforts and the additional funding in the bureau's planning and sustainability that would support the clean and green citywide project and the partnership was solved. The alliance recognizes the need for these allocations and funding and reactivation of spaces that sat idle through the pandemic. I hope you approve these that will support by groups and communities and simultaneously move them forward in the recovery process. Finally while we're pleased to support these spring bump allocations because it will make a difference in getting the city cleaned up, they're one-time funds that need to be backed up with city sanitation services and hook in and the program. We look forward to supporting long-term investment in the programs in the 2021-2022 Portland budget. Thank you so much.

Rathfelder: Good to hear you.

Clerk: We have Dan Handelman.

Wheeler: Welcome.

Dan Handelman: Good afternoon, you able to hear me?

Wheeler: Yep.

Handelman: Okay, great, this is Dan Handelman I'm with cop watch. Decided to speak on this issue I noticed there was a bump of 2 million dollars which was roughly the amount of money being proposed to reinstitute the gun violence reduction team. I don't understand how to read

April 21, 2121

this budget. You recently got recommendations from -- from the roundtable and the training advisory council to put things out in plain English. I think that would be helpful for the budget. I'll see what I with figure out. There's a revenue fund and that has to do with the fact that the other jurisdictions are not in the red gin database. There's a police bureau compensation set aside of 850,000 dollars. I don't know what it mean. It is it coming out of appropriation from covid grants and doesn't say what that is spent for. For people in the community that are very concerned about -- about the -- about the while they were fund and reintroducing the reduction team and making agreements with the fbi and the atf which could put our city at risk of violating Oregon state law by participating in investigations that are prohibited by state law, it would be good to know what this money is going for and whether or not this is another way of trying to -- to reinstitute the gun violence reduction team that we've been insured wasn't going to get put back together again. I -- and you know, I -- I testified at the council meeting that came up with a four fifths item. I want to make it clear that ordinances are -- are -- are required by city code to take public testimony. Even if it is four fifths item you should take testimony on it. Don't put those things in the jen that after 4:00 on a Tuesday during covid because that's -- that's the cut-off point for the community to sign up and testify. If you have an emergency that you need done, you got to get your paperwork together sooner. On that note just about the confusing language, the -- the language that i think that you're probably required to use for these amendments sound like you're reducing money. It is not clear if that is for something else or set aside for next year. That's confusing for us that don't speak budget language. I want you to explain the police funding. I appreciate the time. Thank you.

Wheeler: Thank you I give clarity on that. Sometimes the language can be perplexing. I hear what you're saying and we should endeavor to be as clear about it as possible. Thank you for that, I think accurate admonition. Commissioner Hardesty.

Hardesty: Thank you mayor and I wanted to respond to something that Dan Handelman said which was around the -- around the four-fifths agenda item that was to address the gun violence increase. Normally I wouldn't have an item that would make that kind of investment. This is a public conversation taking place for two weeks based on a proposed -- based on the press conference that the mayor and ipac participated in. I felt the public was in fact engaged in a conversation about the city's response. We wanted to act quickly. I wanted to put this in context of acting as quickly and efficiently as possible to make the right investment and the things that we wanted to see outcomes of. Thank you.

April 21, 2121

Wheeler: Thank you commissioner Hardesty. Next individual please.

Clerk: That completes public testimony, mayor.

Wheeler: Excellent. Good, thank you everybody that testified and director Kinard, i don't know if you're in a position or somebody from the police bureau is in a better position to respond to some of the questions that Mr. Handelman put on the table. What is going on here with regard to the police budget?

Kinard: Sure. Thank you to Mr. Handelman. I agree. I prefer for the language to be public and user friendly. I ask if you have the filing documents to exhibit two and my staff tried to create a narrative document in exhibit two that explains in more plain language all of the adds included in the filing. It is a long and large filing mostly with tables. Please look at that and hopefully it helps a bit. There are three police bureau related items in the supplemental budget. The first you mention is compensation set aside. This is funding associated with all of the general fund supported bureaus received an allocation for cost of living adjustments and associated with their staff. Instead of putting that money directly in each bureau's budget we hold that if a central contingency account in the event they may be able to absorb the costs through the year. It is understood that should bureaus be fully staffed they may come and ask for the resource. That resource would have been budgeted in their base budget. This was funding that was set aside for the purpose of personnel cost need. The police bureau and fire bureau requested those. They're trending on -- on pretty tight on their personnel expenditures through the course of the year. So, it is -- it is allocating costs -- I'm sorry, allocating resources associated with personnel cost of living adjustments. And healthcare costs. This year it is primarily healthcare cost increases because we froze cola in the budget. The -- the next item that you mentioned is -- is associated with a region. Yes, another -- another back acronym. It is our -- it is our -- our -- the police bureau's records and tata management system. It is a regional solution. It is a regional system. The city of Portland through the police bureau holds the contract for that system. We partner with other jurisdictions and that data. We collect money from other jurisdictions to help pay for that contract. That's what that is. That's recognition of revenue from other bureaus as we manage the contract for the management of the system. That money comes into the city and i believe it is placed in there. It is a special revenue fund that -- that the funding goes into and a special revenue fund. The last item is trues up of grants funds. The police bureau has several grant agreements. They receive predominantly federal but -- but some interjurisdictional grant fund to support their activities. The largest dollar values in that number is associated with grants

April 21, 2121

for sexual assault initiative. There are a handful of other grant funded initiatives that the police bureau works on. That's trueing up the grants they have received to do various work initiatives.

Wheeler: Thank you. Colleagues, questions? Commissioner Hardesty.

Hardesty: Thank you. Excellent job director Kinard and concisely answering a lot of the questions that were raised. One around gun violence reduction plan. There's one. I'm curious what is the process will be and who will actually be managing the grant under this -- under this -- these proposals. That jumped out at me because that's not a current contractor with the office of violence prevention. I need more information about who these -- who this organization is. And why they're in line to get over 438,000 dollars. So i -- i guess today, if we're going to pass this budget, I just want to know what the next step will be. How will I get the questions answered prior to us actually committing a contract to -- to -- to an organization that I never heard of.

Mike Meyers: I can answer questions.

Wheeler: Yes.

Meyers: Thank you for asking the question about going home too. I had to do research myself I was able to contact the office of prevention this afternoon and green and asked her specifically about going home to include if the chat, just for the panelists of what going home to is about. Going home to commissioner is a -- is an organization that -- that works with individuals that have recently been incarcerated and returned and they help individuals reengage.

Hardesty: That's helpful. I was not able to find a contract with any group called going home to. So I would love to talk about that in more detail.

Meyers: Let me clarify, if she could direct me to what is the parent organization, too. Once in a while we see that. She was able to confirm it was a contracted group. I don't know any more details behind that. It looks like a group that does really good work in the community. They're engaging them this year and grantee going forward for the 14 months. I can to follow-up on why you're not seeing. I don't have a list. I did confirm from her that we to have a current grantee agreement. I believe commissioner that part of the ordinance required us that if we were going to -- allocate dollars that we were going to do that to -- to -- to current groups that had relationships with the city and that were grantee agreement providers. I'll confirm that.

Hardesty: That's my understanding as well. That's why that stood out to me. We did approve a set aside for new organization that is have never been contracted with prior to. And they would be eligible for that list, if they today are not under a signed contract with the city of Portland.

April 21, 2121

That jumped out at me right away. I appreciate the fact that you're on that.

Wheeler: Director Kinard we're not approving the contract today.

Hardesty: No-no-no. I understand that. It was a question that jumped out to me. I wasn't here for the public meeting. I needed -- I understand we're not approving a contract. It did jump out like a -- like a sore thumb. I just needed to get clarification on that, thank you. Thank you. That's helpful. I'm glad that you're going to be involved in -- in helping us make sure those contracts actually provide the outcomes we're looking for. So.

Wheeler: Thank you. Any other questions and follow-up. Not seeing any, we could go ahead and start voting on the amendments. We'll go in the order which they were proposed. First amendment is one, the small business repair grants. Any further discussion on this item? Seeing none, call the roll, on amendment mayor number one. [roll called].

Wheeler: Passes. Amendment two the carryover surplus, any further discussion here? Seeing none call the roll. [roll called].

Wheeler: Carries. And the carryover funding for gun violence response, any further discussion on this item? Seeing none, please call the roll. [roll called].

Clerk: Ryan.

Ryan: I'm excited about this and being engaged and making sure our contract respect streamline and are with agreed upon outcomes and what success looks like.

Wheeler: Carries. Carryover grant reducing the impact of gun violence. [roll called].

Wheeler: We're on four.

Ryan: I talked about four and three. But aye.

Wheeler: Amendment carries. The clean and green citywide project for fiscal year 21-22. No discussion. Call the roll. [roll called].

Clerk: Ryan.

Rubio: Excited about this and the jobs program. Aye.

Clerk: Hardesty.

Hardesty: I hope we're broadening the contractor pool because I know there's a lot of neighborhoods who are constantly doing community clean-ups and find it difficult to get resources from the city to support their effort. I'm voting to support this amendment, I'm also putting on the public record that -- that there are a lot of groups that are doing this for free. I hope we find a mechanism to engage them and provide them some resources to help us with this effort as well. There are a lot of good efforts in the community that we should support. Aye.

April 21, 2121

Clerk: Rubio.

Rubio: This is great. I'm interested in how this connects the community as well. And this will allow the bureau to connect us with this partnership.

Wheeler: Aye. Amendment passes. Mayor, six additional funding for community events that activate spaces across the city. Community events and activation action table. Any further discussion on this? Seeing none, please call the roll. [roll called].

Hardesty: We have an opportunity to create inclusive paces or could mess this up by not engaging people at the grass roots level. I hope we're intentional about who has the opportunity to benefit from the resources we're setting aside. Better to do it with communities. This is a cautionary tale as we move forward with this vote. It is important where we start. Not where we end up. I vote aye.

Clerk: Mapps.

Mapps: I want -- a lot of folks working on this. I want to thank all of the volunteers that thick a through had this go. I'm really excited about this. I think it is going to help wake up the city this summer and that's one of the reasons why i'm pleased to vote'.

Clerk: Rubio.

Rubio: I want to thank my colleagues for all of their perspectives on this. And we can also -- have alignment around the [indiscernible]. [inaudible].

Hardesty: I don't know if it is me, but you keep fading in and out.

Rubio: Sorry. I vote aye.

Clerk: Wheeler.

Wheeler: Vote aye. Very excited to support this. The amendment carries.

Wheeler: Next is Mapps approved carryover for improvements to social equity contracting programs and further discussion. Commissioner Mapps, amendment? Seeing none, please call the roll. [roll called].

Clerk: Wheeler.

Wheeler: Aye.

Wheeler: It carries. We move to adopt the supplemental budget ordinance as amended. Any further discussion? Please call the roll. [roll called].

Clerk: Ryan.

Ryan: This is the big enchilada.

Mayor: Yes.

April 21, 2121

Ryan: Well director Kinard you and your team have outdone yourself once again. I noticed how many amendments you're working on up until the last minute. I want to acknowledge you for your work. You know, you made it really clear, this is about making sure we balance our budget with just enough cushion and you assured me we have that. That's important as we just have a couple of months ago in the fiscal year. Thank you. I vote aye.

Clerk: Hardesty.

Hardesty: I'm grateful this is -- I think my first budget vote in quite a while that was calm and not -- not, didn't stress anybody out who was in the room. Clearly, there was an approach taken. I appreciate the bureaus who gave money back to insure that we could make some additional investments in community. I appreciate work at the budget office with Kinard. I appreciate the thoughtfulness under which you present these documents and help us walk through these budget conversations. This is -- this is -- you know, a good budget means that nobody gets everything they want and nobody is totally absent from a budget. I continue to say they're a document. It is important where we invest our limited resources. This is just a queueing it up to the end of the year, but i'm happy to vote aye.

Clerk: Mapps.

Mapps: Aye.

Clerk: Rubio.

Rubio: Pleased to support this budget. Thank director Kinard for all of the questions. Working with us to insure that we're all on council aligned around those priorities. I think my colleagues to for all of our work together and we make progress. Hopefully move this forward. And just one last thing. Thanks to the community for -- for your constant communication to our offices and work here. They're responsive in the commune finish vote aye.

Clerk: Wheeler.

Wheeler: I want to thank my colleagues for the hard work on this and the hard work of their teams. This was very much an iterative process. Colleagues I want to take my hat off to all you've. Thank you. Director Kinard, thank you and your team for the great work you to. I want to thank members of my team as well. With that, I vote'. And the supplemental budget ordinance is adopted as amended. Thank you everybody, we're adjourned.

Council adjourned at 2:51 p.m.