



**CITY OF
Portland, Oregon**

**Official
Minutes**

April 28-29, 2021

Date and time

April 28, 2021 at 9:30 a.m.

Council recessed at 11:51 a.m.

Officers in attendance

Keelan McClymont, Clerk of the Council; Lauren King, Deputy City Attorney and Maja Haium, Deputy City Attorney

Consent Agenda

Item No. 284 was pulled from the Consent Agenda and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

Date and time

April 28, 2021 at 2:00 p.m.

Council recessed at 2:36 p.m.

Council reconvened at 2:45 p.m.

Council recessed at 4:14 p.m.

Officers in attendance

Keelan McClymont, Clerk of the Council; Matt Farley, Senior Deputy City Attorney and Lauren King, Deputy City Attorney

Date and time

April 29, 2021 at 2:00 p.m.

Council adjourned at 4:21 p.m.

Officers in attendance

Keelan McClymont, Clerk of the Council; Anne Milligan, 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 28, 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 28, 2021 Council meetings is April 27, 2021 at 4:00 p.m.

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

COMMUNICATIONS

273	Request of Evelyn Whitlock to address Council regarding health effects of Zenith (Communication)	PLACED ON FILE
274	Request of Suzanna Kassouf to address Council regarding effects of Zenith Energy (Communication)	PLACED ON FILE
275	Request of Joan Rothlein to address Council regarding Zenith (Communication)	PLACED ON FILE

276	Request of Jessica Rojas to address Council regarding the Zenith terminal (Communication)	PLACED ON FILE
277	Request of Ted Gleichman to address Council regarding earthquake risk in North Portland (Communication)	PLACED ON FILE
TIMES CERTAIN		
278	<p>TIME CERTAIN: 9:45 AM – Accept the Quarterly Technology Oversight Committee Report from the Chief Administrative Officer (Report introduced by Mayor Wheeler) 30 minutes requested</p> <p>Motion to accept the report: Moved by Hardesty and seconded by Ryan.</p> <p>(Y-5)</p>	ACCEPTED
279	<p>TIME CERTAIN: 10:15 AM – Metro Regional Priorities (Presentation introduced by Mayor Wheeler) 40 minutes requested</p>	PLACED ON FILE
CONSENT AGENDA – NO DISCUSSION		
Mayor Ted Wheeler		
Bureau of Emergency Management		
*280	<p>Authorize application to the Department of Homeland Security Urban Areas Security Initiative grant program for a grant up to \$3,800,000 to enhance emergency preparedness through planning, training, and equipping of emergency responders in the Portland Urban Area (Ordinance)</p> <p>(Y-5)</p>	190373
Office of Management and Finance		
281	<p>Update salary grade for City Forester classification (Second Reading Agenda 261)</p> <p>(Y-5)</p>	190374
Commissioner Jo Ann Hardesty		
Bureau of Transportation		

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*282	Accept a grant for \$47,600 from Travel Oregon, authorize Intergovernmental Agreement for development and implementation of a temporary wayfinding and placemaking campaign for 20 Bureau of Transportation Healthy Business Plazas, and appropriate \$45,700 in the FY 2020-21 budget (Ordinance) (Y-5)	190375
Fire & Rescue		
*283	Authorize Intergovernmental Agreement with Multnomah County Health Department and Portland Fire & Rescue to conduct COVID-19 Testing and Vaccinations (Ordinance) (Y-5)	190376
Office of Community and Civic Life		
*284	Authorize grant agreements with five organizations for the Constructing Civic Dialogues Grant Program at the Office of Community & Civic Life not to exceed \$248,319 (Ordinance) (Y-5)	190379
REGULAR AGENDA		
Mayor Ted Wheeler		
Office of Management and Finance		
285	Accept bid of MJ Hughes Construction, Inc. for the Balch Creek Trash Rack Retrofit Project for \$3,670,321 (Procurement Report - ITB No. 00001602) 15 minutes requested Motion to accept the report: Moved by Mapps and seconded by Hardesty. (Y-5)	ACCEPTED PREPARE CONTRACT
Commissioner Dan Ryan		
Housing Bureau		
286	Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Analog PDX located at 1871 N Flint Ave (Second Reading Agenda 266) (Y-4, Ryan, Mapps, Rubio, Wheeler; N-1 Hardesty)	190377
Commissioner Jo Ann Hardesty		
Bureau of Transportation		

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287	Assess benefited properties for street, sidewalk, and stormwater improvements in the NE 27th Ave & Holland St Local Improvement District (Hearing; Ordinance; C-10059) 15 minutes requested	PASSED TO SECOND READING MAY 5, 2021 AT 9:30 AM
288	Vacate portions of NE 27th Ave and NE Holland St south of NE Columbia Blvd subject to certain conditions and reservations (Hearing; Ordinance; VAC-10131) 20 minutes requested	PASSED TO SECOND READING MAY 5, 2021 AT 9:30 AM
<p align="center">Commissioner Carmen Rubio</p> <p align="center">Parks & Recreation</p>		
*289	<p>Declare the Gateway Green Park “Sliver Parcel” property surplus real property and authorize the Bureau of Parks and Recreation to dispose of the property by transferring it to TriMet for its Redline Max Line project (Ordinance)</p> <p>(Y-5)</p>	190378
<p align="center"><u>WEDNESDAY, 2:00 PM, APRIL 28, 2021</u></p> <p>Those present by videoconference were: Mayor Wheeler, Presiding; Commissioners Hardesty, Mapps, Rubio and Ryan, 5.</p>		
*290	<p>TIME CERTAIN: 2:00 PM – Amend Title 33 Planning and Zoning to facilitate the provision of shelter and housing options for Portlanders in need (Previous agenda 250; Ordinance introduced by Mayor Wheeler and Commissioners Rubio and Ryan; amend Code Title 33) 45 minutes requested for items 290-291</p> <p>Motion to substitute the As-Amended Findings (Exhibit A) report dated April 27, 2021, substitute the As-Amended Volume 1 (Exhibit B) and Volume 2 (Exhibit C) reports dated April 2021, and amend the ordinance to conform to the As-Amended version dated April 20, 2021: Moved by Hardesty and seconded by Rubio. (Y-5)</p> <p>(Y-5)</p>	190380 As Amended
*291	<p>Amend City Code Health and Sanitation, Emergency Code, Public Improvements, Water, Property Maintenance Regulations and Affordable Housing to facilitate the provision of shelter and housing options for Portlanders in need (Previous agenda 251; Ordinance introduced by Mayor Wheeler and Commissioners Rubio and Ryan; amend Code Titles 8, 15, 17, 21, 29, and 30)</p> <p>Motion to substitute the As-Amended Volume 1 (Exhibit A) and Volume 3 (Exhibit B) reports dated April 2021, and amend the ordinance to conform to the As-Amended version dated April 20, 2021: Moved by Ryan and seconded by Hardesty. (Y-5)</p> <p>(Y-5)</p>	190381 As Amended

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292	<p>TIME CERTAIN: 2:45 PM – Appeal of Renee Mercado against the noise variance granted to Café Nell to add two speakers located at the corner of NW 20th and Kearney (Report introduced by Auditor Hull Caballero) 90 minutes requested</p> <p>Motion to affirm the decision of the Noise Control Officer: Moved by Hardesty and seconded by Ryan.</p> <p>(Y-5)</p>	<p>AFFIRM DECISION OF NOISE CONTROL OFFICER</p>
<p><u>THURSDAY, 2:00 PM, APRIL 29, 2021</u></p> <p>Those present by videoconference were: Mayor Wheeler, Presiding; Commissioners Mapps and Ryan, 3. Commissioners Hardesty and Rubio arrived at 2:30 p.m., 5. Commissioner Hardesty left at 4:08 p.m., 4.</p>		
293	<p>TIME CERTAIN: 2:00 PM – Accept the Portland Design Commission 2019-2020 State of the City Design Report (Report introduced by Commissioner Ryan) 1 hour requested</p> <p>Motion to accept the report: Moved by Ryan and seconded by Mapps.</p> <p>(Y-5)</p>	<p>ACCEPTED</p>
294	<p>TIME CERTAIN: 3:00 PM – Accept the Portland Historic Landmarks Commission 2020 State of the City Preservation Report (Report introduced by Commissioner Ryan) 1 hour requested</p> <p>Motion to accept the report: Moved by Ryan and seconded by Mapps.</p> <p>(Y-4; Hardesty absent)</p>	<p>ACCEPTED</p>

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Closed caption file of Portland City Council meeting

This file was produced through the closed captioning process for the televised city council broadcast and should not be considered a verbatim transcript. The official vote counts for council action are provided in the official minutes.

Key: ***** means unidentified speaker.

April 28, 2021 9:30 a.m.

Wheeler: It's good to see you all here. This is the Wednesday morning, April 28, 2021, morning session of the Portland city council. Good morning, Keelan. Can you please call the roll.

Clerk: Good morning, mayor and commissioners. Ryan?

Ryan: Here.

Clerk: Hardesty?

Hardesty: Here. Good morning.

Clerk: Mapps?

Mapps: Here.

Clerk: Rubio? [inaudible]

Clerk: Wheeler?

Wheeler: Here. Under Portland city code and state law, the city council is holding this meeting electronically. All members of the council are attending remotely by video teleconference. The city has made several avenues available for the public to listen to the audio broadcast of this meeting. The meeting is available for the public on the city's YouTube channel, egov pdx, www.PortlandOregon.gov/video and channel 30. The public can also provide written testimony to the council by e-mailing the council clerk at -- cctestimony@PortlandOregon.gov the council is taking these steps as a result of the covid-19 pandemic, the need to limit in-person contact and promote physical distancing. The pandemic is an emergency that threatens the public health, safety and welfare, which requires us to meet remotely by electronic communications. Thank you as always for your patience, your flexibility and your understanding as we work together and manage what is a challenging circumstance. We'll now hear from legal counsel on the rules of order and decorum.

Lauren King: Good morning. To participate in council meetings, you may sign up in advance

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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.

Wheeler: Thank you. First up is communications, Keelan, item 273.

Clerk: Request of Evelyn Whitlock to address council regarding health effects of zenith.

Wheeler: Good morning.

Evelyn Whitlock: Good morning. Good morning, mayor, commissioners. My name is dr. Evelyn Whitlock. I'm a retired preventive medicine researcher, living in north Portland across from the industrial area where zenith is located. First, apologize from taking time from your busy calendar to give input on zenith pending land use compatibility statement or l.u.c.s. For short. We lack a process for the public input to l.u.c.s. Input this to allow public input for what is going forward. Colleagues and the federal citizens outlined health, safety and the equity concerns with the proposed expansions which I won't reiterate. But let me restate the bottom line clearly. Zenith's transport and storage of the fossil fuel and combustibles are a danger to the population; particularly, the vulnerable and the process natural environment. It's made worse by the past that zenith behaved in the ways to violate the public trust. The city has a real opportunity now. You should deny zenith the l.u.c.s. They are requiring for the pending title v air quality permit. Their use of the land is income passed with the 2035 comprehensive plan. It's hard to see ow zenith's business that slipped in the town under the radar in 2015 fits with the five guiding principles for plan. For a low-carbon economic prosperity, human health, environmental health, equity and resilience of the region and the people. The business directly incompatible with the policies and the goals in the 2035 plan. Here is one example. Policy 2.4 of the plan requires the

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city to effectively reduce the disproportionate burdens, the adverse environmental impact on the community of color, low-income populations and the others impacted by the decisions. Worsened air quality due to the diesel oil trains through the city not to mention risk of the catastrophic fire, explosion or the other accidents already disproportionately impact our youngest, poorest and most disadvantaged residents. Policy 2.4 also calls for the current decisions to address disproportionate burdens resulting from the previous decisions. Certainly, denying zenith the I.U.C.S. Required for the continuing operation is an opportunity to right previous wrongs, however these occurred. In closing, while our city's best choice is to deny the I.U.C.S. I must ask you to mitigate risk from any ongoing business in three ways. First, to the extent that zenith continues the operations, please require active third party monitoring and the disclosure of the environmental and the health risk-related activities. Second, require zenith to put up the official bonds or financial equivalents to indemnify the city and the citizens in case of the accident, explosion, fire in the borders. Third, require them to help finance and prepare the fire department and the emergency responders to adequately respond to the fuel-related disasters. It's likely that the current services are woefully unprepared for what could be a devastating event. Thank you.

Wheeler: Thank you. Appreciate you being here. Next individual. Item 274, please.

Clerk: Request of Suzanna Kassouf to address council regarding effects of zenith energy. They let us know they are canceling their request.

Wheeler: Thank you. Next individual, please. 275.

Clerk: Request of Joan Rothlein to address council regarding zenith.

Wheeler: Good morning. Joan, are you with us? Are you unmuted?

Joan Rothlein: There we go. My name is dr. Joan Rothlein. I testify today as a member of the stop zenith work group of cedar action, Oregon p.s.r. And the resident of northwest Portland. I'm a retired scientist from o.h.s.u. Whose research in public policy work focused on the impact of the hazardous substances on the environment, the health and the safety of the at risk populations and the workers here in Oregon. In 2019, I became aware of the expanding operations at zenith energy and transporting of the crude oil by train. To the neighborhood and on the rivers. I moved to Portland 30 years ago, raised two daughters and I have been living in the same home that is only 7,000 steps, exactly three miles from the train yard and front gate of zenith energy. The presence of zenith is a huge public health and a safety concern as you knoll for me and my neighbors. For two years we have been organizing and talking about the critical

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risks and the opposition to zenith. We have held the public forum and the presentations at many neighborhood association meetings throughout the city. People are worried. Some are angry. Multnomah county reported that more than a quarter of the county's population lives within a half mile evacuation zone along the train routes. In my northwest district there are multiple Portland public schools and many preschools. The school my ends attended chapman across the state from me and to repeat 7,000 steps from zenith. Multnomah county designated half mile distance as evacuate zone but depending on the blast ferocity, the wind, the weather, smoke and the noxious compounds can reach greater distances. The jewel force park could be destroyed from a fire following a derailment or worse. Don't foresee zenith is on an -- forget zenith is on earthquake liquefaction zone. It could affect the river and clean-up efforts are at best. I watched them attempt to clean up the mess and the dire effects continue ten years later. Zenith is operating under out of date air quality permit intended for a quality company. But the asphalt refinery ended in 2006. And zenith purchased it in 2017 and in a year had 32 offloading spots to increase the capacity. According to the zenith emission result the oil through-put in 2018 was 14 million gallons but it increased to 167 million gallons in 2019. That is an 11-fold increase. D.e.q. Has determined that there is enough intensification and the modification of the original permit to require a new I.u.c.s. For the air quality permit. The city approved a I.u.c.s. For the storm water permit that leaves you including commissioner Ryan to decide to approve the new I.u.c.s. It gives Portland an opportunity to stop transportation of the crude oil through the neighborhood. B.d.s. Should and can deny the new I.u.c.s. Which d.e.q. Determined necessary for the title v air quality permit renewal. Lastly, this is Portland. What are we doing being a hub for fossil fuel expansion in our climate crisis? Thanks.

Wheeler: Thank you very much, dr. Rothlein. Next up, item 276.

Clerk: Request of Jessica Rojas to address council regarding the zenith terminal.

Wheeler: Welcome. Thank you for being here.

Jessica Rojas: Good morning, mayor, commissioners. Thank you for this opportunity to speak to you this morning. My name is Jessica Rojas, the current executive director of the northeast coalition. I'm a mixed race Chicana and she/her are my pronounces. I'm going to blunt because I'm supposed to be on vacation. I can't rest no matter how far I get away from Portland knowing it's when not if our region will face a large scale sub duction zone earthquake. It's a matter of when our leaders will decide to invest in our future by protecting the community's public health today. I serve geography that is too close in proximity, with the neighbors in the

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north/northwest to the actual site. You heard from so many citizens why the permit needs to be denied. You heard from experts, the statistics and the facts surrounding the industry who is not invest in our protection and will likely not save us when the day comes and natural disaster impacts the city and the country in relation to the role our city plays in distributing commerce throughout the region. In my line of work I see stricter regulations for activities meant to improve the livability. I'll see barriers for operation for the activities meant to improve the quality of life. Our board has sent numerous letters and signed on so many times indicating we against expansion of the fossil fuel exportation in the region. This council made public environmental racial equity statements that are counter to the expansion. We cannot have a livable future. Especially for the most vulnerable communities. No one should think about St. John's. It's the affordable housing complex are. Families, what do you do to protect them from a major blow up at zenith? How will you protect the emergency responders? How do you protect the air quality? I cannot rest on my vacation. I will continue to fight until you do what is right. I'm praying you have the strength to exhibit a commitment the community and the collective future. I know you can do this. I won't rest until it's seen through. Thank you for the time. I believe you can do what is right.

Wheeler: Thank you for being here. Thank you for taking time from your vacation. We appreciate that. The last communications. Item 277.

Clerk: Request of Ted Gleichman to address council regarding earthquake risk in north Portland.

Wheeler: Welcome. Thank you for being here.

Ted Gleichman: Good morning. I'm Ted Gleichman. Activist on the energy and the climate issues with the cedar action. Mayor Wheeler, commissioner Hardesty, good to speak to you again. The structural work of public health and safety for the first responder bureaus is unprecedented. Thank you. Commissioner Rubio. [speaking Spanish] that was unprecedented. Commissioner Mapps, I'm currently studies our struggling if racial justice by the work of professor joseph. The wisdom you bring to the issues is unprecedented. Especially in the combination with commissioners Hardesty and Rubio. Commissioner Ryan, you integration with the robust non-profit community is vital asset for the economic justice now. That sun predated. As is the fact you and your husband live in north Portland. We're generic neighbors, a while apart. My wife and I live north of Columbia park. Also unprecedented is a certainty of the catastrophic damage from the really big one. I'm singing the same tune. Cascadia earthquake will rupture at a magnitude of 8.0 or greater. It hasn't occurred since 1700.

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So this will be the largest and the most deadly earthquake in United States history. We are 321 years in a psycho with 240-year average. Here all of our masonry building will come down and all the bridges. Worse, the pipes carrying fracked methane gas will rupture. Flammable fuel tanks and the water front will collapse. The oil trains that happen to be here will derail, spill and burn. We face unprecedented levels of fire and explosion. And the water mains will go unless we're lucky on the timing with the rebuilding. Oil train and oil tank explosion and fire cannot be extinguished with water. In 1906, about 6,000 people died in San Francisco. Almost all killed by the fires. Not the earthquake. I'm sending you a little booklet about it. Cascadia will surpass that but you have unprecedented opportunity to lessen the blow here and create good union jobs. By maximizing energy conversion at warp speed. Why not begin with the obvious law-breaker on the b.d.s. Plate in front of you now. The duplicitous zenith oil terminal? It needs to go. Thank you.

Wheeler: Thank you. I appreciate you being here. That concludes communications. Let's go to the consent agenda before we get to time certain. Any items pulled from the consent agenda, Keelan?

Clerk: Yes. We had one request for item 284.

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

Clerk: Ryan?

Ryan: Aye.

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Wheeler?

Wheeler: Aye. Consent agenda is adopted. We'll come back to 284 at the end of the regular agenda around move to time certain, item number 278.

Clerk: Accept the quarterly technology oversight committee report from the chief administrative officer.

Wheeler: Colleagues, the technology oversight committee is a citizen advisory committee that provides oversight for the significant city of Portland technology projects. The city reports to the

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council on a quarterly basis on the projects it's currently overseeing. It covers the activity from January through march of 2021. There were no major project developments for this period of time. The t.o.c. is currently overseeing the revenues integrated tax system project but no other projects at this time. I'll now turn it over to the presenters. Ethan, from the office of management and finance is here to introduce the presenters and kick us off. Welcome. Thank you for being here, Ethan.

Ethan Cirimo: Thank you very much, mayor Wheeler. Good morning. Good morning, commissioners. Good morning, everyone. We will be presenting the technology oversight committee first quarter report for the 2021 today. You are going to be hearing from the chief technology officer for the city of Portland, his name is Jeff Baer. Also the director of b.t.s. After Jeff speaks to you and talks about the presentation for the first quarter you will hear from Dyanna Garcia, the representative for commissioner -- you will hear from Dyanna Garcia. Representative for Rubio. I'm Ethan. I forgot that.

Hardesty: Excuse me, mayor. If I may?

Wheeler: Commissioner Hardesty.

Hardesty: Thank you, mayor. Thank you, Ethan. My apologies for interrupting. I just wanted to say that most of my colleagues have never had the presentation from the technology oversight committee. So it would be helpful if you gave a little bit of the history of why we have such a thing and what in the heck does it do as we get in your report for this year. Thank you so much.

Cirimo: Thank you very much. We will certainly get to that. We are planning on presenting something to that effect. So stay tuned. With that, Jeff, I believe I can hand it over to you.

Jeff Baer: All right. Thank you, Ethan. Good morning, mayor, good morning, city council members. Ethan said I'm Jeff Baer, bureau of technology services. With me is Dyanna Garcia. And we are here to present the technology oversight committee quarterly report to council, covering January through march and provide the updates that may not be covered in the reporting period. Here to answer any questions that you may have. As they come up. And commissioner Hardesty, I'll provide some context, historical context at the conclusion of the report if that is okay. So, you will see progress on the integrated tax cisco systems, i.t.s. This is in the report as i-2. It's overseen by the technology oversight committee. You may have noticed on the report that there was a concern expressed that the external quality assurance or the q.a. Vendor was not engaged with the r2 stage. We were in the process of renewing a contract with the consultant for the additional phases and the services that were needed. They are now back on. And in fact this

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past Monday evening which was our regularly scheduled monthly t.o.c. Meeting, the q.a.

Provider was there it at the meeting presented their assessment to the project. Which have again was positive. I'll turn it over to Dyanna if you have comments to make for observations.

Dyanna Garcia: Good morning, commissioners, mayor Wheeler. Commissioner Rubio, we haven't officially met but I am your representative on the t.o.c. Nice to see you. The segregated tax system, it want to -- integrated tax system. We heard that q.a. Not in place for r2. I think that with this program, one of the things that we have found is actually it's been run very well by the city. The q.a. Representative in partnership for the city resources for r1 set up a good foundation so as they rolled in to r2, they were prepared. Now they are back on for the r3, we see it continue. So continuity is there because they set things up so well together. To start with. So as the t.o.c., we are not concerned with this gap in the time without q.a. Because they have been just continuing the plan they laid out together as they started planning in r1. Hopefully that helps massage any concerns you might have.

Baer: Thank you, Dyanna.

Cirno: Yeah. I think that's the only comments I have on the i.t.s. Any questions for us?

Wheeler: Colleagues, any questions? That was brief and to the point. Helpful. If no questions I'll entertain a motion to accept the report.

Hardesty: So moved to accept the report.

Wheeler: Thank you, commissioner Hardesty. Can I get a second?

Ryan: Second.

Wheeler: Second from commissioner Ryan. Thank you. Any further discussion? Seeing none, Keelan please call the roll on the report.

Clerk: Ryan?

Ryan: Yes, first of all, thank you, jeff. Thank you, the amazing volunteers. Wilfred, jimmy, hello, Jimmy, Leland, Dyanna, Victoria. Thank you for your report on the tax system and this helps to bring us along on the work you are doing. Thank you for the director Rinehart for collaboration on the group. I vote aye.

Hardesty: I want to thank also the technology oversight committee for the continued expertise that you bring to the table to help the city of Portland do technology better. It sounds like we are letting you slack off because you apparently only had one project on your calendar. It's our hope to fix that. You should be hearing from the Portland police bureau about their need to have your support as they look at the acquiring new technology. I want to thank all of you. I found you all

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to be experts in your field and willing to give your expertise, time and time again. We would think that a new system to collect taxes from not just the city of Portland but also Multnomah county. And the other entities in the region would be something that would make you pull your hair out. The fact that you have supervised this process so well, that it actually even hasn't been a blip on the radar screen says a lot about the quality of your work. I cannot be grateful enough for the work you do for the city and how much I am looking forward to you being able to help the police bureau also buy technology. That we can support. Because it works and does what we want to do. I want to give a shout out to Victoria Trapp, my representative. She makes me smile every time I see her. She is so full of the energy and the commitment the task. All of this could do anything else with your volunteer time. I want you to know how grateful I am that you allow us to utilize the expertise. I'm very happy to vote aye.

Clerk: Mapps?

Mapps: I join my colleagues to thank the member of the oversight committee for the important work. Glad to vote aye on the report.

Clerk: Rubio.

Rubio: I'm also -- can you hear me? I'm having computer issues. I want to thank the technology oversight committee for their work and for oversight on the project. It's very dense information. And so I just want to appreciate all the volunteer hours that are put in, and all the staff hours. Thanks for helping us understand this topic. I vote aye.

Clerk: Wheeler?

Wheeler: Well, before I cast my vote, I just want to take this opportunity since he with vim here to recognize director Baer for winning "technology magazine" top 25 doers, dreamers and drivers award. This recognizes the country's highest achieving innovators, collaborators and the transformers who improve government through technology. Director Baer and his team at the bureau of technology services did an incredible job of enabling the city of Portland to work remotely in the pandemic. I want to thank director Baer. Congratulations. Thank you to your entire team. I also want to thank the technology oversight committee. You are an important part of this mix. Thank you all for your significant efforts on behalf of the city of Portland. I am very happy to vote aye. The report is accepted. Thank you, all.

Cirimo: Thank you. Super proud of the team and what we were able to do. Thank you.

Hardesty: Congratulations.

Wheeler: Next folks, we are 20 minutes ahead from the next time certain. Move to the regular

agenda. 285, please.

Clerk: Accept a bid of Hughes construction, inc., for the Balch creek trash rack retrofit project for \$3,670,321.

Wheeler: After that introduction I'm sure you are excited about this. This is to rehabilitate the Balch creek trash rack. If you don't know what the Balch creek trash rack is, you are in for a treat. The Balch creek trash rack captures sediment, logs and debris carries down Balch creek from forest park. Preventing backups at the point where the creek flows to the underground park to the Willamette river. I heard my first presentation on this, I thought what the heck is a trash rack? I had a different image in my mind. What I learned on the preparation of the different part of the city water system in the absence of these facilities being maintained it can cause massive environmental as well as the structural damage. This is truly an important item. We have the chief procurement officer Kathleen Brenes-Morua here to present the report. Good morning. It's good to see you.

Kathleen Brenes-Morua: Good morning. Good to see you all. I'm Kathleen Brenes-Morua. Interim chief procurement officer. I am here to recommend authorization to enter into a contract with the mj Hughes construction incorporated for the Balch creek trash rack retrofit project. Council approved 190155 for the procurement services to solicit the project. The engineer's estimate \$3 million. The confidence level was moderate. Procurement services issues invitation to bid on February 16. Four bids were received on March 16. The bid of mj Hughes construction was determined to be the lowest responsive bid in the amount of the \$3,670,321. The city's aspirational 20% sub con track or and the supplier utilization goal applied. Mj Hughes construction committed to subcontract 20.01% to the firms certified by the state's certification office for the business inclusion and diversity. As identified in the report before you. Self-performing 56.5% of the work. Subcontracting the remaining 23.94% to noncertified firms. Mj Hughes construction is in compliance with the city cone tracking requirements. I here recommend that council accept the report. And authorize execution of the contract.

Wheeler: Thank you director. Colleagues, any questions? No question that is inappropriate for an issue like this. I will entertain a motion to accept the report. Motion from commissioner Mapps. Any second?

Hardesty: Second.

Wheeler: Commissioner Hardesty seconds it. Thank you. Further discussion? Seeing none, please call the roll.

Clerk: Ryan?

Ryan: Yes. The Balch creek trash rack -- I just wanted to say that. I vote aye.

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Wheeler?

Wheeler: Well, I sort of agree with commissioner Ryan. It's a good warmup for the mouth and the vocal cords to say that. This is an important project. Thank you for bringing it forward. I vote aye. The report is accepted.

Wheeler: Look forward to successful project. Next up is 286 from the housing bureau.

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

Wheeler: This is a second reading. We have already had a presentation. And heard the opportunity for the public testimony on this item. Any further discussion? Seeing none, please call the roll.

Clerk: Ryan?

Ryan: Yes. Thank you. Thank you, colleagues. Director Callahan, the developer Paul Devecchoi and Kerry Strickland and Alison Reynolds. I want to thank you for the dialogue last week. A good example of the healthy government. I want to thank those who testified last week and offered their feedback on the inclusionary housing policy and program. Analog project complies with the applicable multi-code and the rules and through the reconfiguration offers three bedroom units. However, they aren't family units. I seriously cannot see a parent living there with four kids. This just isn't high quality family low-income housing. As someone who has been advocating for affordable housing for families due to the fact that frequently moving is a major factor that affects the student success, this project does fall short. I am encouraged that the Portland housing bureau adopted new administrative rules. And that under my guidance we will look to keep improving this code. Going forward, I'm committed to continue working with my colleagues. The housing bureau. Affordable housing advocates and the development community to improve the policies to ensure we are investing in responsible projects. And that

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we provide affordable family units that we desperately need. With that, I vote aye.

Clerk: Hardesty?

Hardesty: I want to thank also the developer, their attorney and all the people who testified last week on behalf of this project. I absolutely agree with commissioner Ryan where I don't see a path where a single parent would have a good living experience in a building built for seniors -- I mean for singles. The reality is that unfortunately this has happened quite a bit with this multe program. I'm very pleased that we are on -- that we have changed the rules so that we are more intentional about creating real family units in apartments. You know, I have challenged this program since the day I showed up. It will get better. I appreciate the leadership of commissioner Ryan and the housing bureau because I know I pushed them quite a bit in my time here around this particular issue. I am comfortable in voting no on this project knowing "a," it will pass today. And "b," that we will not be put in position again in the future to be choosing between the units that are not appropriate for the family living versus losing the opportunity to create more housing that at some point will be affordable for families. So, I am happy to vote no. I look forward to the changes being fully implemented to ensure that we don't continue to make this mistake as we move forward. Thank you.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: I want to thank commissioner Ryan for taking the time to talk with me extensively about this issue. I also wanted to acknowledge the dialogue last week as well. This continues to be a difficult item that we are grappling with and it has come up week after week. This is a example that the guidelines are technically met but the spirit is not to the level that we would hope. Of this which low-income families are deserving. We're look at the developments especially those participating in these affordable developments, we hope they move forward if they are prepared to embrace and respect the atmospheric community of the low-income families with children. Also striving for the most affordability possible without stigmatizing the families. It's demonstrating the commitment to the spirit of the policy. But -- [inaudible] this highlights the places where the city must be tighter and clearer on the guidelines. We heard my colleagues are working on this as we speak. So I'm heartened we are getting clear about what we want to see from the projects like this. So for that reason I'm happy to vote aye with the understanding changes will be made.

Clerk: Wheeler?

Wheeler: I vote aye. The report is accepted. Anyone, everyone. Next item, 287, please.

Clerk: Assess benefited properties for street, sidewalk, and stormwater improvements in the northeast 27th avenue & holland street local improvement district.

Wheeler: Commissioner Hardesty?

Hardesty: Thank you, mayor. Thank you, councilmembers. Please give me just a second. I appear to be a bit behind. Good morning, Andrew. Thank you for being here. I was looking for my talking points but why don't I turn it over to you and let you get the show started and I'll come back.

Andrew Aebi: Thank you. Mayor Wheeler. Could we have Keelan read agenda item 288 as well? We plan to read it together.

Wheeler: You bet. Please read 288.

Clerk: Vacate portions of northeast 27th avenue and northeast holland street south of northeast Columbia boulevard subject to certain conditions and reservations.

Wheeler: Awesome. Thank you. Andrew, it's all yours.

Aebi: Thank you, mayor, Wheeler. Andrew Aebi. Local improvement district administrator.

Hardesty: Andrew, your sound just went away.

Wheeler: Andrew?

Hardesty: It looks like he's frozen a bit. Well, good, now that he is frozen, I'm happy to read my overview. [laughter]

Wheeler: Please do, commissioner.

Hardesty: It's amazing how that works. Are you back, Andrew?

Aebi: Yeah. You know --

Hardesty: He's moving again.

Aebi: The only time my computer freezes is when I'm up in front of council.

Wheeler: Can I suggest you turn off your video. That seems to help sometimes.

Aebi: I will do that. Thank you, mayor. I'll just be a black screen. If something strange happens I'll jump back in on my phone. Do we have the power point ready to go?

Clerk: Yes. Coming up right now.

Aebi: Thank you.

Hardesty: Once you are done and I'll come back to give some thank yous and thank you so much for being here this morning.

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Aebi: Thank you, lance. Go ahead to slide number two, please. This is the map of the I.i.d. That we just completed and the street vacation. This is a very geographically constrained location. One of my sayings as the project manager in pbob is all the easy stuff got built years ago so as the region continues to develop, the streets are more and more difficult to build. And we have less and less vacant land. The vacant land we have to develop is increasingly challenging to develop. But we had a good public-private partnership on this. We are pleased to have completed the I.i.d. And bring the street vacation in front of you today to enable construction of waste transfer station which is of the key importance to the Oregon department of environmental quality. Next slide, please. Slide number -- yeah. So the picture on the left of what holland street looked like before we started the I.i.d. You can see we got the paving done there on holland street. We did that without removing the large trees that you see there at the northeast corner of the intersection. Next slide, please. This is another example of northeast 27th avenue. We got that paved. There are no, little to know sidewalk facilities. Sidewalk facilities that did exist were blocked for example at the utility pole in the way. I couldn't imagine being a pedestrian for example in a wheelchair trying to get down the sidewalk. Next slide, please. I'm going to turn it over here to lance in a moment. He is going to walk you through the street vacation. I just want to highlight for the council we did not receive any objection to final assessment against this I.i.d. I also wanted to let council know we are 16.3% below budget for the I.i.d. It's not reflected in the I.i.d. Ordinance or the street vacation ordinance but pbob will be issuing encroachment for the tree we are saving. And a design exception for a new driveway that we will be building on the east side of the 27th avenue to support the future waste transfer station. Those are all my parks for the morning -- remarks for this morning. Turn it over to lance unless you have questions.

Lance Lindahl: Thank you, Andrew. I'm lance Lindahl. The agent with the Portland bureau of transportation. There are two parts of project today. The first is the local improvement district which constructed variety of the street and the sidewalk improvements in this area. And in congestion with the work, pbob conducted a review of the public right-of-way. Determination made portions of the street area no longer needed for the public use. City initiation street vacation process was begun. The area proposed for the vacation are shown on the map. The current slide. The largest portion is located on the northeast holland street on the east side of northeast 22nd avenue. There is a second area that is across 27th. It's also just a little stub dead end portion of holland street. Then there is a small third area. South of this intersection. Located

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between northeast holland and the Union Pacific railroad right of way which separates the area from the north Lombard street. This neighborhood currently zoned general industrial two. Mix of industrial and the commercial uses. Currently the only way to access the street in question is from northeast Columbia boulevard to the north. The Union Pacific tracks that I mention block the access to the south. Currently there is no city access rights or the right of way between vacation area and/or Lombard street. Per the city street vacation process, pbob reached to out the other city bureaus, local utility company and government agencies. A few came back with condition of approval. The first came out of my work group at pbob. And what we are doing is reserving an access easement within the ordinance document. For the benefit of the property located at 2946 northeast Columbia boulevard. And this property located immediately to the east of the vacation area. The access easement is shown here in with the hash lines. This same area also an emergency vehicle access easement required by the Portland fire and rescue. Because of the industrial uses in the area there were concerns about retaining access to the various properties. This will serve that purpose. They have required a lot of consolidation replat for any lot or the historic lot of record losing the street front damage as a result of the vacation. This is typical of the larger street vacations. There is a conservation easement for four trees that are in the vacation area. Here in the picture. There is one new development. There is a sweep sweeper transfer for -- street sweeper transfer for the area in red. It will revert from the property to allow them to build the project. That completes my portion of the presentation. If there is any questions or concerns we are available to help answer those. There are representative from the adjacent properties online to address the issue.

Wheeler: Any questions at this point?

Hardesty: Mayor, if I may. Thank you. Before we turn it over for additional system if there are no questions I have people I would like to thank. I just saw commissioner Ryan's hand go up. So I will wait if he has questions he wants answered.

Wheeler: Very good. Commissioner Ryan we'll come back to you.

Ryan: Thank you. This is quick. Maybe I'm not the only one thinking this. What is with the word "vacation"? That is a funny term to me.

Wheeler: It's not as fun as you think.

Ryan: I'm ready to hear it. I want to educate myself. It will be like life-long learner moment day. Yeah.

Lindahl: Yeah. It's an old term. It's used in the right-of-way profession. It's release of the

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easement rights. The street right-of-way in this area between fee ownership of the property and the release of a simple easement. That is why we hung on to the determine "vacation" a because it's unique to this transfer.

Ryan: That is helpful. I wanted to be inspired by a new technical term. I don't know if I'm going to use it often. But I do appreciate that you explained it. Thank you.

Lindahl: Thank you, commissioner.

Wheeler: A word we all want to use a lot more. Believe me.

Hardesty: I was thinking the same thing but I didn't say it out loud. I will affirm the mayor's bleak.

Ryan: In the proper context.

Hardesty: Exactly. I would be remiss if I didn't take this opportunity to really appreciate a couple of the key stakeholders in this effort. I want to start with Steve McInnis of McGinnis investment. We are pleased with the I.i.d. This is the third one he has participated in. And pbot really appreciates this partnership. Because clearly it's helped both their business be successful and it has helped pbot keep the commitment. And do the work that it desperately needs to do. We appreciate he has confidence in pbot. I hope he does; it's coming back. So that is a good thing. I also want to take a moment to acknowledge and appreciate Chris Hagerman of the brooking group who helps with the strategic land use guidance and the coordination for the plan waste transfer facilities. With the design of the I.i.d. We appreciate developing solutions to meet the multiple city bureau investment and interest on this I.i.d., including the street vacation. While achieving a city's transportation infrastructure, tree planting and the environmental goals. Just on a personal note, anytime we can save big, beautiful trees I'm a big fan of that. I'll grateful for the thoughtfulness that went in to that. So, I just want to add that to the record. I will turn it back over to you, mayor. Thank you.

Wheeler: Thank you very much, commissioner. Keelan how many people do we have signed up to testify?

Clerk: Mayor, we have no one signed up for this item.

Wheeler: I thought there were property abutters that had indicated an interest in testifying? Am I wrong about that? Lance mentioned something.

Aebi: Mayor Wheeler, this is Andrew Aebi. I am seeing Steve McInnis on the line and Daniel Scarpine.

Wheeler: Why don't we include those as invited testimony. Three minutes each, please. Andrew, can you facilitate please by calling the first one and the second and the third?

Aebi: Yeah. Why don't we start with Steve McInnis. Thank you.

Wheeler: Thank you.

Steve McInnis: Good morning, mayor, council. I appreciate you guys taking this time to hear from all of us. I would like to tell you about myself. I'm Steve with a company that has had a great partnership with the city of Portland and the different jobs and the things we help each other out with. I have been in the waste collection business in Portland for 40 years. Right now we presently have 130 employees. We are looking to add another 20. We have -- [inaudible] wage jobs. Looking for more minorities. A third of our staff is minority right now. We are looking to add additional. So if you know folks out there looking for work, we are hiring. In the city of Portland. We would like you again. This is our third I.i.d. We have done. The city of Portland. We really enjoyed working with Andrew Aebi, city of Portland and the staff. Andrew is a great leader. Even when we have tough times with other neighbors to get the folks on board and keep on going. This site will allow us to hire another five additional employees to handle the waste stream. We talk about the sweeping waste we have, catch basin waste. So we can bring it back to the facility. Clean it up, to be able to recycle it. Take it to the proper, either additional recycling or how to process it. River city, we have been doing since 1995. And glorying. Our commitment has always been to keep the rivers, the streams, the creek beds and everything clean from testing right on down line. We hold over 14 patents to clean up the storm water and storm water industry from the catch basin filters. We are looking forward to the approval. To be able to build a new site on 27th. To give you a little more background here. These are two separate buildings that are built on the site. And to be able to direct different products to each building. D.e.q. Is on board. Backing us up. Wants to see this project as well. We ask for your support and your help. The last thing I think that mayor Wheeler, a month ago you said you are looking for a deep clean on the city of Portland. If there is anything we can do to facilitate or help that out, or staff, get ahold of me or someone at the facility. We would like that. I want to help everyone here, and it has helped me get where we are today. Thank you. We'll talk to you in the future.

Wheeler: Thank you. We appreciate it. Andrew, call the next individual.

Aebi: Next, Daniel and then Courtney.

Daniel Scarpine: Good morning. Thank you for the opportunity to provide testimony. For the record I'm Daniel Scarpine, the principal engineer of the Portland firm acquires environmental. Small business in Portland, headquartered in Portland. Providing environmental and the engineering services to businesses in the Portland area. That is a significant focus of our practice

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is the storm water equality. Our goal is constrict to sustainable watershed and healthy businesses. We worked for numerous years with the river city environmental. They have helped us on complex regular maintenance projects and also regular street sweeping and maintenance services. River city provides these direct to us and the clients for sweeping. The big thing about sweeping why do we do it? It's critical to prevent pollutants, dirt, trash and debris from entering the waterway. Frequent cleaning of the paved services and the urban environment, the moves the debris, and limit potential toxic pollutants, such as, the copper, lead and the zinc entering rivers and the creeks. The challenge with the modern sweepers they are a big machine with a limited capacity for how much sweeping they can hold. So it's very important that the sweepers have a facility within a reasonable distance. To manage the material. The benefit is capture pollutants that otherwise end up in the river. Segregating those as the dry materials in this location we get a big bank for our buck environmentally. We are moving pollutants and creating segregation or disposal of the materials. This is critical that this is done in environmentally conscious manner. Portland has a limited number of the facilities. And having a facility that in the vicinity of the northeast 27th and holland is really a good spot for coverage of a lot of the facilities across the Columbia slough where we have the thousands of facilities that rely on sweeping and the cleaning services. I sent in some written testimony to you all. With some photographs of what this material looks like. But I just wanted to speak on behalf of the project that the great work that pbob has done to support the project. All the great work that river city environmental has done to focus in on the project. And partnership they have taken with the city, with metro and Oregon, department of environmental quality. In conclusion, I'd just like to say I strongly support the I.i.d. Project and I strongly support the street vacation. I appreciate your time.

Wheeler: Thank you.

Aebi: Thank you. Thank you Daniel. I think we can -- Mayor, I think we can go with corky now.

Wheeler: You're up.

Corky Collier: Good morning. I'm corky collier, director of the Columbia corridor association. For those who may not know, Andrew Aebi was one of nick fish's favorite employees. The reasons were simple. He finished his projects on time. And on budget. But more importantly, he doesn't start his projects until he really listens to all the property owners affected. He not only listens he incorporate what is he hears in to the projects and the projects with better for it. This one is unusual because it gives up city right-of-way. But it's a short, dead end segment that only serves

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two properties. Andrew is including a solid easement to ensure the properties will have permanent access. In the end it will save the city money and improve the sidewalks in the district. I've been in touch with several property owners over the years we worked on this. This is a well-conceived request. I hope you will approve it. Thank you.

Wheeler: Thank you. Appreciate it.

Aebi: I think that concludes the testimony for this morning. I appreciate council's time.

Wheeler: Very good. Colleagues my further question before I move it along? These are nonemergency reading so it will move to second reading. So with that we'll go back to the time certain agenda to the second item on the time certain. I'm 279, please.

Clerk: Met row regional priorities.

Wheeler: Colleagues, this morning we are joined by the metro council president Lynn Peterson. And councilors Mary Nolan and Bob Stacy who asked for the opportunity to share a presentation for metro regional priorities. We have happy to have you here. Council president and the councilors, welcome. Start with President Peterson. Good morning. We'll let you take it from here.

Lynn Peterson: Good morning, mayor, commissioners. Thank you for having us. This is an honor to be here today. We want to catch up with you. First before I kick it over to my colleagues I want to say thank you for the partnerships in this pandemic. Your leadership truly appreciated. Mayor, thank you for being so focused on the homeless and the garbage pickup in the region as well as the economic restart of the region. Commissioner Ryan, thank you so much for all of the work that you are bringing to the homeless and the supportive housing service measure.

Commissioner Rubio, I can't wait to start working with you on the arts and culture. After this pandemic is starting to be over and we can see a clear line of path. Commissioner Hardesty, I just can't thank you enough. Using your own word, you are fabulous. I can't, what a great partnership on transportation between metro and the city. Commissioner Mapps, we have yet to work together but I know whatever it is, it will be amazing. Looking forward to that. We are nothing but the partnership at metro. We are the regional government. We just are here to support most of what you all are doing in the city's and the counties. So I'll kick it over to commissioner Nolan and commissioner Stacy to quickly go through what we have been up to in pandemic and point out some things we are working on with you and answer any of your questions on the amazing partnership we have. Thank you.

Bob Stacey: Ready? Your honor, commissioners, I'm Stacy. [audio interruption]

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Wheeler: I think there is a -- am I the only one hearing garbled? No. Okay. Can you turn off your video, councilor and see if it improves the sound quality.

Stacey: Absolutely. Yes. You don't want to see that anyway.

Wheeler: You're a good looking guy. That sounds better.

Stacey: Start with a reminder and my notes say especially for the folks watching at home of what metro does. I hope your Nielsen ratings are higher than ours because there are not that many people watching from home when metro is on. The meet row region extends forest grove to the west to Troutdale in the east. Columbia river down to Wilsonville. We work on long-term growth, the urban growth boundary and other plans for the future. We protect 17,000 acres of the parks and nature. Purchased with voter support from around the region. We manage the region's garbage and recycling system. We run regional key visitor venue including ones owned by the city of Portland under the operating agreement. The Oregon convention center, the expo center, Portland five centers for the performing arts. And the Oregon zoo. We manage regional housing, affordable housing construction program. And the regional supportive housing program. And, of course, the Oregon zoo. It's one of the state's top tourist attractions. It's a leader in the national leader of the wildlife conservation. Most of us know about the elephant program, which is helping to conserve the endangered Asian elephant. On the six-acre elephant land exhibit. We are also proud of the condor conservation program. Condor was once native to Oregon. Lewis and Clark reported seeing them and working hard to expand the condor's native range and get it back to Oregon. Of course, as photo shows, we have welcome Nora to the new polar passaging exhibit. We're happy to have Nora back again. I think she was in Cincinnati. This is a better place than Cincinnati. At least I think so. Metro manages the main theaters owned by the city of Portland and downtown. It's another partnership with the city of Portland. The Schmidt, killer auditorium, Winningstat theater. We lost 750 employees when we had to close the venues last march. We are eager to welcome guests back again soon. Madam president, to you now.

Peterson: Good. Next slide, please. The expo and the convention center part of the venues, forums. You know they were not exactly designed to deal with the type of the emergencies we have been facing. But they have stood the test of the time as assets for the region. Much appreciated. The reminder of what they have done, and the smoke and the wildfires and severe weather and a whole host of things. It hosted red cross staging in the wildfires for many of the Clackamas county evacuees with the big rig or trailers. Oregon convention center was

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emergency shelter for Clackamas county. Most of the Clackamas county fire evacuees and homeless shelter expansion area. So we could get the social spacing in Multnomah county for the shelters. As well as you know metro council, the metro headquarters parking lot, the three story parking lot was actually used as a severe weather warming shelter as well as the Oregon convention center. So, thank you for that. We are trying to put all of our assets on the table. You will see as we go through this to make sure and I'm encouraging every other city and county to put all of their assets on the table to deal with the issues that we are facing in the region. Both expo and Oregon convention center hosted covid-19 testing early on and through the pandemic. Now as you know in the "Willamette week" has a great article highlighting that the mass vaccination site at the Oregon convention center with the four hospital systems is one of, has been recognized as the most efficient. And the well done mass vaccination site in the country. Who knew? It's a great thing. But we are very pleased with how the assets have been able to be used by the region in this pandemic. Next slide. On to you, councilor Nolan. I'll do it.

Mary Nolan: Think this one is still yours.

Stacey: Okay. Parks and nature is another line of business. The voters -- and we thank the voters very much who passed \$475 million bond measure. That is property tax based. It's the third bond measure. The first two protecting more than 17,000 acres of the open space. And the bond measure has money in it. As it has since the beginning goes to a local share. So, your portion of the local share shall be coming to your budget in the next fiscal year. We look forward to working with you and having the ribbon cutting ceremonies when we can do that on the new parks and the new equipment and the new educational opportunities for folks in the region. Of course, the regional parks program was created so mainly protect the habitat. And the open space for the future. Large tracks of the open space. The new bond measure drills down further and has the ability to partner like we are with the Willamette falls or with the albino vision to be able to take the parks money and combine it with the complex urban development so we make sure that the region has the parks that we need as we densify and grow population. We are working hard with you and the projects, such as, the block 14 at Willamette cove. Next slide. Long range planning. We are the keeper of the 50-year land use transportation planning. The metro 24th growth concept, one of the big pushes on the urbanization and how to do it better have a 15 minute neighborhood and the amazing things we talked about back when in the '90s. There was so much left off the table between the ghg emissions and the racial equity that weren't even part of the conversation. A.i., right? Artificial intelligence wasn't part of that. We

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were all set to do a reset, a new visioning for the 2070, folks. 2070. Then the pandemic hit and we said nobody wants to talk about 50-year plan. We are more focused on a narrow set of things. Including you at g.i., the greater Portland inc., the five-year -- the five-year economic recovery plan. That is where we focus our energy instead of the 50-year plan. It's more appropriate for now. We are keepers of the urban growth boundary discussion. There is two cities in Washington county interested in the urban growth boundary expansion myrrhed cycle. That is a first time and the narrow reason they have to justify a need for expansion. We are in the conversations with them. Obviously transportation planning and the funding. Funding through the feds. We work on making sure we have a racial equity lens and climate change lens working on the long range planning as well as the implementation. One of the things that did not pass it was transportation measure. That was disappointing because transportation needs are not going away. However what we did hear contents of the package are good. But people want to have a conversation, especially the businesses about the opportunity for looking at the other financing mechanisms. We will start up the conversations sometime this year on that. Next slide. All right. Go ahead councilor Nolan.

Nolan: I'm happy to take this on. Garbage and recycling is one of the stealth operations we take on and one of largest if you measure dollars through the budget. Metro has the responsibility for regional transfer of the waste. Management of the contact for disposal of waste at the landfill in eastern Oregon. Beyond that, metro cooperates with the Portland and the other cities in the region. And the three counties around pushing for ways to make system more efficient, manage costs. Improve recycling. And make sure that equity of the service is achieved throughout the entire region. We are in the process now of evaluating the entire system and the facilities needed to meet the growing demands of a growing population in this region. Looking to possibilities of expansion of the transfer station services. We are funding investment and innovation grants for local non-profits as well as local businesses. To incentivize and support their discovery of innovative ways of reducing waste. Treating it more efficiently. Reducing the greenhouse gas emission of the transport of the waste around the region and outside the region. We achieved great success removing the food waste; particularly, commercial food waste from the waste stream. We are continuing to look at the further opportunities to invest. This is clearly a partnership with the cities and the local governments because you manage the franchises of the collection of waste within Portland. We are more the wholesale part of the system. Making sure that it is managed responsibly and safely and environmentally

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appropriately. Next. They gave the new kid on the block the newest services that metro provides for the region. In 2018, voters approved a regional affordable housing bond measure. That supplements Portland's own affordable housing bond measure. The metro measure was designed to build housing 3900 units of housing for more than 12,000 people within a decade. Today I'm here to share really good news about the progress on the measure. So far while committing just 34% roughly a third of the money approved by the voters we have got commitments to build over half the housing units we promised. And within that half, nearly 700 of those units are for families who earn annually less than \$26,000. I listen to some of your earlier discussion today. These truly are units designed for housing families. In contrast to the ones that you talk about earlier that were conversions. We are proud to provide family appropriate housing. It's actually fabulous. I had that in my notes before you mentioned commissioner Hardesty's preference for that. It is fabulous! We will welcome the first families to move in to the metro housing bond measure community this summer. Regional housing authority including the home forward have been instrumental in this success. We are grateful for them for the efforts and we are eager to work with them and with you to ratchet results up even further going forward. If we have committed only a third of our money so far but have got the commitments to build half the housing, we are convinced and looking forward to working with you to deliver more housing units than the original bond measure estimate. Think about that in human terms. Together, every 10% we can lower the cost of building this housing. It means 10% more families who can move in to the housing. So as part of our partnership with the Portland housing bureau, we have partnered to modernize and expand the decorum court apartments that many of you know about. We work with some of you, notably, commissioner Ryan, removing the barriers and proceeding with the other renovations. That will save naturally occurring affordable housing for low-income families for decades to come. The compassion and the generosity of the voters is key to the success. But it's not just about the bond money. Portland and the other cities can and are removing barriers reducing the impact on the cost of housing by changing up your codes, by streamlining the processes and expediting to the point of issuing permits. As I said earlier, every \$10,000 or 10% that we can knock off the cost of building this housing by making it more straightforward means we can serve more families. We are interested to get to that point collectively with you. Next slide, please. Our very brand new service in metro we are still adjusting to how we will cooperate with the counties on is the result of work that people did to pass the supportive housing measure last May. We all know that some of our neighbors need

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more than just a roof over their head to be safe and successful in their lives and have the stability and dignity and peace. We see the homeless crisis on our streets every day. Whether it's downtown Portland, along the 205, Powell boulevard, Cornelius, Beaverton, Troutdale, Gresham, Oregon city. We know people are living outside. Because they don't have the support they need to safely live inside. It is important to me in this work to remember that these are human beings. These are someone's son or daughter. Someone's brother, sister or friend. A year ago, groups and individuals working for and with homeless people designed, imagined, worked successfully to pass a ground breaking, truly ground breaking supportive housing program. With an audacious goal to functionally end chronic homelessness in -- homelessness in greater Portland in a decade. This effort is, was, will be a partnership among people on the street and their advocates, providers of services, leaders from Portland and 238 other cities and the three counties along with the business owners and the business managers. Good work in community input resulted in the proposed local improvement plans from the counties. They are under review with metro. Indeed, Multnomah county approval plan on our council agenda tomorrow. The local improvement plans offer varying combination of the rent assistance, addiction treatment, mental and physical healthcare. Workforce training. And transitional shelter in anticipation of the permanent housing. We face a profound crisis. I don't need to tell you that. It's born disproportionately of the people of color, people living with disabilities, people who have been shunned or ignored by people who look like me. This crisis calls on all of us to make a rapid and sustained response. On par with the floods and the wildfires and the pandemic. Collectively we haven't met the crisis with the urgency it demands. This specific metro is partnership between the county. But this depends on the initiatives that you at the city of Portland launched. Mr. Mayor and the commissioners, our action tables promise quick, broad-based results. I hope, we hope that they will inspire a focus on action. Immediate results and the sustained change in all this work. We will stand and act with you. Next slide.

Hardesty: Excuse me, mayor, if I may.

Wheeler: Commissioner Hardesty?

Hardesty: Thank you. Could we go back to the last slide, please. I didn't want to interrupt councilor, but this struck me. We're going to end homelessness in greater Portland by 2030. That is a bold statement. As you know we have made the bold state in these in the past around houselessness has not come to past. I know public will hold us accountable to the goal. Why will this goal -- why do you believe this is achievement in the short time period that we have to make

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it happen? That is like eight years is what you are saying. We are going to fix this problem in eight years.

Nolan: The expectation since the measure is for ten years we would use funds that the public entrusted to us, commissioner Hardesty, and the mayor and the rest of the council. I share both your scent schism which I think is an honorable place to be. /also share some optimism. Because the people who are working this are committed to region-wide approach that learns lessons across the counties. That is new from the way we have approached this crisis in the past. I'm mindful, commissioner Hardesty, that we are sitting here in 2021, with the city's 2005 ten-year plan to end homelessness gathering dusts somewhere. But I commit to you personally. And the metro council commits that we do see this as a crisis require urgency. Some of the counties is getting up to speed on this because it's newer but not Multnomah county. Multnomah county is providing leadership on this. Because of the commitment and the because of the coordination and because of the openness to trying things and testing them against measurable outcomes and if they don't work, changing it to a course more productive.

Hardesty: Thank you. I did not want to let the slide go by without acknowledging we have had the information many times over the years. Though I'm cautiously optimistic I would not make a commitment it would be the reality in 2030. Because I understand without relief from the eviction moratorium the houseless problem will get worse before we see improvement. Thank you for that.

Stacey: If I could add on quick. Commissioner Hardesty. The here together coalition that came together as councilor Nolan came about made the commitment. This is important to note it's regional. They are basing this on the fact we did functionally end veteran homelessness in this country with a plan. So this is important --

Hardesty: I don't think we can say it today. We did for a minute.

Stacey: For a minute. That is right. That is right. I know what we need to be aware of as a region is that we are in a deep, deep hole. Affordability in this region. It will take some time to dig out of that. If there is anything that is more needed living wage jobs and the growth of the living wage jobs in this region. In order so the problem does not grow any larger than today. We are trying to make sure we push both on the economics as well as the attempt to deal with the global economic situation combined with a pandemic. Right? So as long we are pushing on both ends to not allow anybody else to fall in the homelessness this is optimistically achievable. We'll fall short if we don't pay attention to both.

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Peterson: This success needs all of us to keep a top priority as urgent as if it's our son or daughter sleeping on the street. All of us. Let's move on to economic development. Council president Peterson referred to addressing houselessness and the economic development, woven together. None of the affordable housing efforts or the homeless service work will be successful until we get the economy back humming in an equitable way. We need to go back. I'm going off script and I might get yanked aside. In the pandemic, the wealthiest of the wealthiest thrived. They didn't just survive. They thrived. In Portland, in Oregon, we have an opportunity to change that so the economic recovery is broadly shared. Equitably shared across all the people who call this place home. Metro doing its part working to invest in the working families. In particular, highlight venues which the council president Peterson talked about earlier. But we are, we have training program for the construction jobs that we utilize in our venues. In order to make access to the family wage jobs that are sustainable for a career, available to a broad base of people who have been excluded and in fact in some corners are still being excluded today. We are working to support businesses as they recover. Local businesses. We do that in the cooperation with the cities in cities and counties around the region. We contribute as well by our efforts to plan for and invest in region-wide transportation system that is 21st century smart. Climate sensitive. Efficient. Responsive so emerging technologies like electrification of vehicles. And autonomous vehicles as they are coming, they will be coming in to line. If not within the next decade, certainly soon after that. And the smart planning and the coordinated planning around the region to make sure that the land use designations have room for the housing, have room for the recreation and habitat preservation. And also have adequate room that is well served by the transportation system for economic activities. Jobs that people can do. I'll close by just saying that our economic development approach and plan and activities is structured around the notion of thinking regionally. And acting locally. We depend on the cities and the three counties to make that work succeed. We look forward to continuing the partnership. Holding each other accountable. Push back on us. We will be the loyal opposition when it is needed on the work you are doing. It's a great partnership. We honor it. Thank you for your time.

Wheeler: Thank you. Appreciate it. President Peterson, does that complete your presentation?

Peterson: Yes, sir, it does.

Wheeler: Very good. Colleagues any questions? I just want to start off by saying how much I appreciate the tremendous collaborations. Obviously, we are deeply entrenched on the

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transportation front land use issues, and homeless issue is one no government can solve alone. It will take a lot of collaboration. We are grateful for your leadership on that front. I see commissioner Mapps, then Ryan, then Rubio, then Hardesty. Start with commissioner Mapps.

Mapps: Thank you, Mr. Mayor. I would like to thank my colleagues for that fascinating presentation. There were so many things there I would like to dig in on but I know we are short on time. One thing which I would like to hear more about is the affordable housing that you are building. Number one, how much affordable housing have you built in Portland? Number two, what is the secret sauce bringing the affordable housing in at such a low price?

Peterson: So, if I can make sure we understand. Metro has no asset, operates no assets. We are simply humble servants to provide the oversight to make sure the voters what they pass is what the seven housing authorities are building. Ryan probably knows those who are committed to the suicide. I don't have it at any fingertips but I can get the numbers to you as soon as possible.

Mapps: Thank you.

Peterson: The money raised in each jurisdiction does go back to each county. It's disbursed that way.

Nolan: Commissioner Mapps, I will take you up offline on your invitation for a conversation about the secret sauce.

Mapps: We do. I look forward to cooking with you. Thank you.

Ryan: Well, first, thank you President Peterson and the councilors Nolan and Stacy. That was an open and partnership presentation. You mentioned the word "assets" and the quote was thank you, I want to thank you for placing your assets on the table. You found my intersections with you and the colleagues to be and I have the saying right now. We are in a crisis. We don't have time to look good. We have to be good. That is what I experience person I work with the colleagues at metro. I want to thank you for that. Few things to call out. It not just work at the convention center for covid. But I know you mention briefly. But truly the warming stations that you set up in the recent winter storm. That saved lives. Willamette cove is personal for me. I look forward to being a partner with you to make it a reality. I want to mention how creative we are in the discussion where we can site property and treat this as councilor Nolan said as an emergency. I know we'll have more news on that as it evolves. I had prepared remarks you by got off script because I was taken with what you were saying. I want to mention upstream work on trades. I found working in that space for a decade it's the mental models how to change in the k-12 system, because the educators don't intuitively guide students to work in trades. That is

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a big obstacle. We are in the session and frustrated with the lack of the minority contractors I realize it will never go as fast as it should. But if we don't keep focusing on the relationships with the students we have ignored historically to get them in the careers right out of high school, so they can have the family wage earning jobs in the short-term it's work collectively we all must stay focused on. We can see the percentages in not just apprenticeships but the contractors go up in the region. Fascinating to hit a few highlights. End with how excited I am to work with the councilor Nolan on affordable housing. We have a targeted meeting coming up soon on that. Hopefully keep delivering more good news. Thank you for hearing the earlier presentation. You heard what we were talking about and we do need family affordable housing so the students can stay place bound in the k-12 career. You are a great partner. Wonderful to have the -- wonderful to have the dialogue. Come back and we'll do the same.

Wheeler: Thank you. Commissioner Rubio?

Rubio: Thank you. First, thank you to the president Peterson and the councilors for providing updates to us. About the priority and the work at metro. Thank you for your leadership in the region. We are in challenging times. We are intertwined partners. My question for you is a new commissioner and the covid economic stabilization and recovery on top of mind for all of us. What priorities have you had to shift significantly in this time and all you presented? I know all of them are the priorities. What are the most focus areas on the deck first and that are the most pressing things? It's helpful for me to know what they are for you. As we are jurisdictional partners how can we continue to be good partners or better partners as a city. Thanks.

Peterson: I'll like my colleagues take the second. I'll take the first to see if I can get through the list. We are part and parcel of the recovery of the region with the venue and the visitor travel. As it comes back we want to hire back the 750 people that we had to lay off. We are looking at coming back better than last time. I'll repeat what I said. I'm not willing to bring employees back under a model where other people get to make a profit on the backs of the metro employees. We had a model private oriented in the past and moving to the public employee model and happy to see the change. I'd say as part of the metro biggest responsibility in that space that is coming out of the pandemic. In the immediate, the homelessness working with you in the partnership with that. And support the housing measure to get it up and going. So when the money starts to flow in July this year, everybody is up and running. No barrier to get it done by July 1. The third is the really, we have been working at the state level to get the funding and the federal level to get the funding for the five-year economic recovery plan through greater

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Portland inc. And gped. I'm going to miss -- yes. One thing we were not able to do in the pandemic coming out of the pandemic with a high priority on and partnership with you is regional illegal dumping program. We had to put it on hold because we were using incarcerated labor -- and no one was allowed out of the jail in covid. We had conversation we are imagine Oregon starting up. Afterwards with the black lives matter protest. That leveraged a conversation for a work force program. Workforce development program. We'll go from two teams in the past to six. Once the budget is adopted. We are looking to partner with you to see if we can get more teams on the ground as well as any private money that wants to come forward and work with to us get more. We are very interested in the long-term clean-up in the region. There is a lot of illegal dumping if city of Portland sees it in the past. This region sees a lot of the illegal dumping. There needs to be a thrust forward to get out of the hole. So whatever we do to find even if it's the one-time money to put extra teams together and get that done. These are the types of the sites that you don't send solve volunteers out to. They are steep slopes. They contain the items that are too dangerous for a volunteer to pick up. The most important thing on that topic is to remind people that the trash they see out there, the vast majority of it, the vast majority of it has nothing to do with the homeless themselves. The homeless don't want to live in trash any more than anybody else does. They were very good prior pandemic. We gave them garbage bags and they put it on the curb and we picked it up. We had a great relationship. We knew what the camps are. What is going on now is people are taking advantage of the camps. And starting one person illegally dumps and then others come back on top of it. I have seen this happen in Clackamas county over the last, the years I was chair of Clackamas county. Once it starts is it hard to stop.

Wheeler: Commissioner Hardesty?

Hardesty: Thank you, all. I appreciate you, President Peterson. You have been a strong partner for decades. I am grateful if for your leadership. Especially in the places where you and I overlap. You have been so helpful to help me understand both the i-5 freeway replacement project as well as the rose quarter project. I'm so grateful to have your expertise to engage with. I think somewhere I heard how could metro be helpful to the city of Portland? I know I heard that question. My answer is metro owns land that could be utilized for us to put managed camps on. This afternoon we'll finalize a land use change to allow us to assist houseless people in transition from being totally out on the street with no support at all, to having the opportunity for a whole host of different camping opportunities. I repeat this will be the managed camp with garbage

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pickup and support for community members who live there. We have directed the city bureaus to start identifying those lands. And metro I want you to be our partner. Please, if you could come back in 30 days and tell us what lands you have been able to identify so we can actually start helping the community transition through both covid eye analysis and frank -- covid crisis and my fear is what happens after July when the moratorium on eviction expires. If we don't act fast and with intention, we have to act like these are our children put on the street. And without resources rather than them being others. I appreciate any help that metro can give. You can be regional leader that you are because there are many governments that don't return my phone calls when I ask this question. I want to take a moment to say councilor Stacy, the years of council you have bin me when I was a young pup who thought I could do everything in one legislative session to my time now here on the city council, you are so genuine in your ability to listen deeply and figure out where the connections are. That is why, that is your, if you want to talk about what is the secret sauce. I know councilor Stacy, that is your secret sauce. You can listen to anybody and find common ground. That is a unique skill that is rare in elected leaders. Certainly rare in a leader with your long history. I just wanted to take a moment to acknowledge how much you have helped me not put my foot in my mouth over the years. Thank you. Last but not least, councilor Nolan you and I also go back a bazillion years. The first days in the sliver body. I almost chuckle when you respond to questions yes, commissioner and the mayor and the rest of the council. We were taught early to address the chair and not the person who asked the question. I chuckle because I find myself doing that sometimes. Throughout the pandemic, it's my belief that metro has been the most solid partner that we have had. There has never been a time we reached out to metro to say what can you do that you weren't just 110% on board. I appreciate you personally. I know the entire council appreciates your willingness to be creative. Think outside the box. Not to be tied to the way we have always done that. We are coming out of the pandemic have to build better, eck it withal and be more transparent about who benefits an who does not ben it from the region's resources. If this pandemic taught us anything, it's that community members don't know what is metro's jurisdictions, what is the city of Portland, the county's jurisdiction. Frankly they could care less. They do care they have elected leaders who are working collectively on the huge issues that we have. I tell the public regularly; the city won't solve the houseless problems by itself. I cannot by itself. I hope that you will continue to be strong champions with home together and the groups saying they are working to help us find housing. We must do both. We must address the people living on the street today. We must

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build housing people can afford to live in. This is not an either/or proposition. This is frustrating to me when people are so focus on building the buildings they forget the humanity of what is happening on the street every day. Your help would be appreciated. I know commissioner Ryan cannot carry it all on his own. He has done an incredible job of reminding people of the obligation. We needs you as partners advocating for that as well. So greatly appreciate your presentation today. Greatly appreciate your partnership. I greatly appreciate us traveling the journey together. Our economic recovery is interdependent on us all. We will not get to a good place unless all of us are using our value to put pieces in place to build eck wiltable safe and the just city. Thank you all.

Peterson: Thank you, commissioner Hardesty. I want to say we have taken a yes and approach to everything at metro. We are already yes and in your first request. Doing it in conjunction with commissioner Ryan.

Hardesty: Excellent. I love to have things on the public record because I can come back and say remember that day where we talked a about this? [laughter] I love and trust you all. You are good partners. Thank you. We'll stay connected identifying land and how to be most supportive of taking care of the most vulnerable people.

Wheeler: Thank you, commissioner Hardesty. I will just wrap up my feelings quickly with the following summation. I think all of you have heard details behind it. We have in a crisis mode. We are not in a business as usual mode. We have joint responsibility for an expanding homelessness catastrophe that will require significant changes to the way we currently do business. It will require more resources, more collaboration and significantly more urgency. And dare I say it, it will require more difficult political leadership from all of us because we will have to draw some lines. Number two, our city is being buried in litter and overcome with the graffiti. There is no one jurisdiction that has responsibility for that. It's everybody from odot to trimet to the landowners here at the city, pbot, parks, to the work we do through our office of management and finance to the work we do at private partners whether it's the railroads or Portland business alliance or the service districts. You can ask anybody anywhere in the city where they think we are doing a good job addressing the homeless crisis or the livability crisis. And I predict they will tell you to a person that we are not. That we are not at the scale we need to be at, that we are not creating partnership and the clan rations with the -- collaborations with the sense of urgency that need to be created. We are not getting results people expect to see. I believe that is what is driving a great deal of the cynicism ward local government in particular but government

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generally. I don't think any of us are daunted by the challenge. But this is not a time for the conflict avoidant leadership. There is no way to avoid conflict to address these crisis that are in front of us today. So, it's going to be a tough road ahead. I have 100% confidence in the partners at metro. And that confidence is only underscored by the presentation today. I have confidence, councilors, in my own city commissioners and their willingness to take on challenges and make good progress. But we are going to have to stick together and do it together. We are also going to have to continue to work with the county and the state partners and -- partners and others critical in helping us make too progress the public can see and appreciate. Ultimately while we can say while we'll hold each other accountable at the end of the day. That is a bit of an understatement because ultimately we are both going to be held accountable by the public we serve. They are setting a reasonable bar and reasonable expectations in terms of the results they want us collectively to deliver. So I really appreciate your willingness, President Peterson, and the members of your metro council wanting overtly to come and be here today to offer opportunities for us to better partner and collaborate. I think it's essential. I really appreciate the spirit in which you came forth today. Thank you. This was a great presentation. We don't vote on this. This is a take it or leave it presentation. We are grateful for it. Thank you for spending time. I know you are all busy here coming and help better inform us and build on that relationship that is so important. Thank you.

Wheeler: Next we will go to the last item on the regular agenda. That is parks and recreation, 289.

Clerk: Declare the gateway green park sliver parcel property surplus real property and authorize the bureau of parks and recreation to dispose of the property by transferring it to trimet for its redline max line project.

Wheeler: Commissioner Rubio?

Rubio: Thank you, mayor. This specific sliver of property has little value to parks and recreation. But it's essential for trimet's completion of the redline max line capital improvement project. Consistent with an agreement between both parties, trimet in exchange will help construct a new emergency access and the maintenance road as well as provide a new multiuse path access point that will connect the park with public transportation. So I will turn it over to Dennis James from parks to share more about the ordinance and Dave who is here from trimet to answer questions. So, Dennis.

F Dennis James: Thank you, commissioner. I just want to emphasize a couple of issues or

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matters regarding this ordinance. That I think are pertinent. First, essentially, this transfer had been addressed and at least dealt with in sort of a certain way. In a previous ordinance before council that authorized the intergovernmental agreement between trimet and the city. 190052. The i.g.a. Anticipate that the transfer would take place. This essentially blessed the deal that essentially was done between the trimet and parks as the commissioner indicated will transfer if a small sliver of -- transfer a small sliver of property in the gateway green park to trimet. Trimet will use it to finish the redline max project and then trimet will have a path to provide the only access to the park for the emergency vehicles. For any other vehicle that might want to get to the park. Or might need to get to the park. Including the maintenance vehicles. We have only two means of access to the park of this point. One is a small bridge that doesn't allow for movement of the heavier vehicles. The other access is railway bridge owned by uprr. We have a license for access via bridge but it's limited and it's an expensive violence because of the fee were charged and the insurance associated with it. So this multi-youth path will provide crucial access for the parks. If we did not, you know, have benefit of having trimet construct this path for us, parks would have had to have done it on its own. We anticipate option in the regard. It was expensive proposition and we didn't have better opportunity to the path that trimet is constructing for us. So in all this is a win-win. Parks and city will benefit greatly to go ahead and transfer a small sliver of property for trimet. Trimet will put it to good use. I will allow Dave Unsworth to allow whatever information he wants to.

David Unsworth: You did a great job highlight the true benefits with this. We have done projects with the city of Portland where we help each other. This is a clear indication. We were wanting to extend a new line through here. This is just extension across i-84. The purpose for doing that, when we built the red line there are single-tram pieces that restrict and give us the inability to extend service to people throughout the system that affects everything. So we identified federal funds to use to fix this and extend light rail out from Beaverton to Hillsboro, provide access to jobs in the Columbia corridor. We are building this bridge so parks asked to us expand it and make it larger and put multiple use on it for the emergency vehicles. We agreed with that. This trade of the property will help pay for small portion of the cost for the m.u.p. We are not charging the city for. It's a great win-win. This is something to do with parks in particular. I'll stop to see if there are questions.

Wheeler: Colleagues any questions at this point? Very good. Does that conclude your presentation?

James: Yes, it does.

Wheeler: Keelan, how many people are signed up for public testimony on this item?

Clerk: No one signed up if for this item.

Wheeler: Good. If there is no further business this is an emergency ordinance. You can tall the roll, please.

Clerk: Ryan?

Ryan: Thank you, Mr. James. Thank you, commissioner Rubio. I'm all in for this sliver parcel. I vote aye.

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Thank you, Dennis, for your presentation and thanks to David for joining us today. We appreciate the partnership with trimet and we're happy to support the redline max capital improvement project. I vote aye.

Clerk: Wheeler?

Wheeler: Good job, commissioner Rubio. Thank you and to your team. And to the folks who presented today. Thank you both for that. It's a good presentation. I vote aye. Ordinance approved. Colleagues we'll go back to the item pulled off the consent agenda. Item 284, please.

Clerk: Authorize granted agreements with five organizations for the constructing civic dialogues grant program at the office of community & civic life not to exceed \$248,319 -- exceed \$248,319.

Wheeler: Who pulled this?

Clerk: Commissioner Ryan's office.

Wheeler: Go ahead.

Ryan: Thank you, mayor. I wanted this pulled because I was just so curious about these investments. I thought it would be good for the public record to take a breath together and acknowledge what the process is like and the value-added it brings to the neighborhood and the communities. I want to get it off the consent agenda to ensure that happened.

Hardesty: So mayor, we have the staff from the civic life here. Happy to present or answer any questions that commissioner Ryan may have.

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Wheeler: Commissioner Ryan, what is your preference?

Ryan: I would love to hear a presentation before I ask questions.

Wheeler: Very good.

Hardesty: Thank you. I'm happy to turn it over to the director Suk Rhee to lead the conversation. But I will say it will be a brief presentation. Because, of course, we prepared it to be on the consent agenda. But we are open to any questions you may have. Suk, would you like to -- who is going to present?

Suk Rhee: Good morning, commissioners and thank you commissioner Ryan for sharing more about the civic life. We'll make a brief presentation.

Carlee Smith: I'm Carly Smith. I'm in the office of the community of the civic life. I want to thank commissioners Hardesty, Ryan, commissioner Rubio, Mapps, Wheeler to allow me to share about this today. I had a slide presentation. I had a slide presentation. I don't know if it's something to queue. I sent it this to the clerk -- there we go. As we imagine, the new strategies to address the conflict resolution, it's beyond the community policing. We recognize the need for the people who access the opportunities that have help them develop foundational skills of their own around community conflict resolution and communication. The die dogs grant program is -- dialogue grants program is a way to channel the multiyear financial resources to groups doing this community based work. As well as support ongoing community resource communities. Living under covid-19 pandemic, a volatile political climate and the uprising and response to the police violence and the institutional racism. The need for skims is central to the health and safety. Aim of this grant program to support the ongoing community-led efforts in the city. We have the focused on the programming led by community it serves and that works to be accessible to elders and the people with the people of colors, indigenous people, and the lgbtq and two spirit people and the others who experience barriers to participation. Next slide, please. For decades, the city of Portland sponsored the community mediation and the facilitation service no cost to the community members. It's enabled them to obtain the third party support to discuss the challenging topics and played a role to divert matters that might needlessly involve intervention. Civic life had allocated dollars from 2002 to 2019. Constructing the civic dialogue evolved from upstream approach to address conflict in the community and respond to input for underrepresented community indicating they are not proportionally accessing or benefiting for funding a have a need for similar services. Next slide. The goal is providing no cost training and the skill billing around the conflict resolution and the other communication skills, as

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well as support no cost conflict mediation and supporting multicultural and multilingual community engagement that addresses intersecting identities. Also develop as cohort to come together and collaborate and work in the solidarity the one another to share resources and goals. Next slide. Next slide. Okay. There we go. In fiscal year -- sorry, in the fiscal year 1920, the seven grant partners provided training for the 1,536 people for the 40 virtual and in-person workshop and the courses. The seven cohort members were collective, disability project, Oregon humanities, training for the transformation, van port mosaic, Portland united against hate and the resolutions northwest. Some of the trainings include the following offerings. Racial trauma and healing. Leading reflective conversations, stories and movement, interrupting hate and the public spaces, understanding and addressing islamophobia, trauma informed care and facilitation for liberation to have anti-oppression framework. These are a few of the classes thatter with offered. There were many more I didn't enough space to name them all. Next slide, please. The new partners were selected in March of 2021. A diverse grant selection committee of the city staff evaluated proposals in the context of the purpose and the requirement of the grant program. 29 grants submitted for \$1.6 million in the requests. The committee came to consensus on the recommendations to fund five organizations to make up the new grant cohort. The full program budget \$248,319. 80% of the organization selected are led by the people of the communities that they serve. And 100% of the project leader are from communities they serve. 60% are led by people with disability. 60% from the bipoc-led. Next slide, please. So, I will go through the new grant partners. First we have the street roots. Street roots is a non-profit 501(c)(3) organization in Portland that publishing weekly alternative newspaper sold by people in houseless and poverty the I to earn income. They seek to have engagement of the house and unhoused neighbors who are the individuals drawing from the experience with the houselessness. Ambassadors will guide housed neighbors in the skills around the trauma informed communication and the de-escalation to help them understand daily struggles endured by unhoused people. The curiosity paradox is a consultancy started by the access artist grant miller and enjoy paradox lee. They follow the legacy of the disabled led expertise to suggest as disabled people they are the best designers of the liberation and disabled living as worth and beauty. The program disrep will explore the disability art and justice through virtual workshops. This is an anti-ableist, antiracist, queer and the trans positive space to center needs and voice of the disability community. Next slide, please. Black and beyond the binary collective physicality sponsored project of the southeast uplift neighborhood services incorporated. It's

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dedicated to the advocacy and the healing for the transgender who are black and have member of the African diaspora. The next slide, please. Low vo radical educator of 11 years and 20 countries in inclusion, racial justice, intercultural communication, trauma care and de-escalation. The program antiracist trauma informed strategies will be trauma informed facilitation training that includes disability justice, harm reduction and the lgbt ia-plus lenses. Practice for building transformative justice application and skills. Next slide. Our fifth cohort member. Bridge pomoja works to strengthen the bonds of the African diaspora answer they increase access to those meeting the needs of the community from the faith-based perspective. The programs bridging the divide for African Americans and can't immigrants is a community effort to bridge cultural divisions from the African immigrant and African American community through the story telling and community building and educational convenience. Vision for the future of the grant. It's sustained mune in addition pal support for development to the resource and partnership providing publicly access, no cost access to skill building around the congress flick resolution and the communication training. Multicultural, community specific engagement and the community mediation, reflective listening, de-escalation, nonviolent communication, facilitation, justice community dialogue, community organizing, transformative justice. Restorative justice, civic engagement and antiracism work. I want to thank everyone for listening to me today. I invite any members of the council to ask questions if they have.

Wheeler: Commissioner Mapps?

Mapps: Thank you, Mr. Mayor. Thanks for the presentation, Carley. Looks like you have a lot of exciting programs in the pipeline. Can you describe to us the systems you use to evaluate how well the programs work at the end of funding period? So we, so at the end of the funding period, we will be compiling all of the quarterly reports that are submitted by our grant cohort. We have after each event; cohort members will compile participant feedback. So we have all that data and we have that information. So at the end of this, it hasn't ended yet. We have programming ongoing. When that is over with we'll compile data and put it together. From what I can see the feedback is overall positive. People attend the trainings and they are often times delving in the difficult and the difficult like profound and impactful conversations. It hat an ability to be moving. People come out with skills. So overall I have seen a neck totally from the feedback I received, these are the positive -- anecdotally from the feedback resolved these are positive feedback they have.

Mapps: Remind me again what the specific goals of the program? What are the outcome you are

looking for?

Smith: The goal provide a platform, a place, access to skill building, communication, conflict resolution from free training, participatory and courses to deal with various type of the skills, communication skills. So at the core we are trying to provide upstream approach to mediation and the conflict resolution. If we have going to imagine new solutions we have to have the tools for that. This is something that everyone can benefit from. Whether working in a professional or a personal capacity. Dealing with the interpersonal or conflict in your professional life. I think that these are the skills and these are the, this is information that we would like to make sure it's accessible to the public. That is the main goal to this. To this program. We want to make sure that the workshops are accessible to the people with disabilities. People who for whom English is not the first language. We want to create galvanized sort of or the activate a network of the cohort members so they can continue their work beyond this grant period. With each other and public. No ez are the three main goals of this grant program.

Mapps: Do you have a sense -- I know some of the programs. I know they do good work. Do you have a sense of whether or not the programs are kind of addressing the goals that you are trying to get at? Have we reduced conflict in the community by virtue of the programs we are funding today?

Smith: I think that what I see as people provide feedback to facilitators that have, you know, worked this open over the course of the -- worked with them over the class and the workshop they attended. They have come out with concrete skills that they can employ in daily lives. So I would say it's a success if we provide somebody with the ability to learn how to deal with the conflict. They use the skills every single day. So, I imagine at the end of thing, I imagine that is something once you have, you use it and maybe you don't know you are using it. I think that the idea is to make sure that people feel as though they have been changed and they have gained something from the experience. I feel like that once this is, once the grant period has ended at the end of June, we will then be able to essentially survey the participant whose conflict they have for the most part how it's impacted them over the last -- since they have engaged in their facilitation training. They can say right after they got something out of it. We won't know until skills are applied in real life. I think these are the positive reactions to what they learn.

Mapps: Okay. Thank you very much.

Wheeler: Thank you. Commissioner Ryan?

Ryan: Thank you, mayor. Thank you commissioner Hardesty for going with the flow here. I

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realize this is an ordinance that was passed before I was on council and I was delighted to see it was on the agenda. I want to make sure we had time to give it some life. Thank you, director. Your presentation, Carley, was so helpful. I was taken with one, congratulations to recipients. It's a stiff competition. You had 29 requests. I was taken with some of the recipients. Like all of us we are trying to connect to the dots to the community assets. When I hear that street roots is receiving an award and knowing the skill set they have, and how they implement the mission. Later today we'll be moving forward on the steps to find land across the neighborhood. So having street roots as a partner to help with the conflict negotiation that inevitably will take place when you make necessary bold moves and it's just great to hear that. I was really listening to hear how these investments are community asset and how to connect dots and have the leverage. I hope you are okay with the commissioner thinking like that and providing some feedback such as that. Is that fair way to do our work together?

Smith: Absolutely.

Mapps: Cool. I do have a question. Because speaking of conflicts there has been change. Change gives everyone an opportunity to have some conflicts. My curiosity, that is a good thing. My curiosity is how are the neighborhood associations invited in to some of the offerings? I wanted to hear about the attendants and if they are accessing the negotiation training. All Portlanders can pick up new tools.

Smith: So to answer your questions, all Portlanders are welcome to access this training. It's free and open to the public. That is the most important aspect of the program. The current courses, the current trainings are offered on the website. Accessible for anyone to join. There are links to the various partner registration websites. So these are absolutely open to all. The neighborhood association members are 100% welcome to participate in these classes. They have been up until this point and going forward. We definitely have a wonderful network of the neighborhood coalitions. So, we think that this is something that not just, not just the neighborhood associations. But everyone in Portland can benefit from.

Ryan: Thank you. I appreciate that. I would like to live in the world of "and" and I thought this was a great opportunity to continue to build bridges with the community organizations. And the assets of decades that neighborhood associations offered. So building the bridges is important. I appreciate to hear more details about this. Thank you very much.

Smith: You are very welcome. Thank you.

Wheeler: Very good. Any public testimony on this item, Keelan?

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Clerk: No one signed up for this item.

Wheeler: Very good. Thank you, all for the presentation. Commissioner Hardesty?

Hardesty: Thank you, mayor. Not slow down getting the dollars out of the door i'd like to add emergency clause to pass it today.

Wheeler: It already has an emergency clause.

Hardesty: Oh, good. Then I guess we don't have to add it.

Ryan: Aye.

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Wheeler?

Wheeler: Aye. Ordinance is adopted. Thank you very much. It's approved. Thank you very much for a great presentation. Colleagues I have a quick announcement. I'd like to make an announcement related to next week's council agenda. My office will be bringing forward a proclamation next week for the Asian American and pacific islander heritage month. Community members are requesting a time certain for the item. I'm confirming that verbally today since it's past the deadline to do so in writing. The time certain for proclamation is 10: 55 a.m. Next Wednesday, May 5 for ten minutes. Thank you. With that, we are adjourned until 2: 00 p.m. See you then. Thank you, everybody. [meeting adjourned]

At 11:51 a.m., Council recessed.

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 28, 2021 2:00 p.m.

Wheeler: This is Wednesday, April 28th, 2021 Portland city council meeting. Please call the roll.
[roll called].

Under Portland city code and state law, the city council is holding this meeting electronically. All members of council are attending remotely by video and teleconference and the city has made several avenues available to the public to listen to the audio broadcast of this meeting. The meeting is available to the public on the city's YouTube channel, e gov, pdx, www.Portland.gov/video and channel 30. The public can also provide written testimony to 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 and 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.

Wheeler: We'll hear on the rules of order and decorum. Good afternoon.

Lauren King: I'm not on the agenda, but I will -- I'll take over because I'm not seeing my colleagues. To participate in council meetings, you may sign up in advance with the clerk's office for communications to briefly speak about any subject. The published council agenda at [Portland, Oregon.gov/auditor](http://Portland.Oregon.gov/auditor) has information. 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're a lobbyist. Individuals generally have three minutes to testify. The presiding officer will ask you to conclude. Shouting and refusing to conclude your testimony when the time is up or interrupting other council deliberations are not allowed.

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Further disruption may result in being ejected from the electronic meeting. All meetings are recorded.

Wheeler: Thank you very much, first up are items 290 and 291. Could you read them together?

Items 290 and 291

Wheeler: We've been working to consider and move on amendments to the shelter to housing continuum. Today I anticipate we'll be moving to adopt these two items as amended before diving in, I like to ask the bureau staff to provide a summary of where we are in the process. Good afternoon.

Andrea Durbin: Good afternoon, we're excited to bring back the final materials you'll need to consider the shelter to housing continuum package. This is one of several significant zoning reforms that has moved forward to create housing opportunities for Portlanders. Last year the council represented the infield project that will go in this summer. They have expanded the opportunities for affordable housing to allow churches and other institutions to use their property for affordable housing. And we had better housing by design to provide more incentives for housing and improve the quality of multi-family housing. Next month we'll start the process for you to consider making improvements for the design review process and including creating efficiency and reliability on larger projects and waiving the need for units for or less. And taken taking and the shelter and housing continuum, we have expanded housing choices in Portland. I want to stress the continuum aspect of the project title. While we're trying to -- to make it easier despite indoor and outdoor shelters with the project, the long term goal is permanent housing. The project helps bridge the gap and provides continuing options we need to get community members off the street. I like to thank the public for the participation in the process and their role in completing this package. I like to thank you, mayor, commissioner and your staff for working together to problem solve with us to respond to the public's concerns and declare more certainty in these roles. I want to thank our partner bureaus for their work on this project. B.e.s. Stepped up to work out more optimal sewer solutions and then barriers to shelters and help us understand title 29. Pbot stepped up and how the right of way fits in the project. And then the joint office helps identify the underlying strategy and desired outcomes. I want to thank the land conservation and development for the grants that helped us get this work started. And lastly, I like to thank al burns who served as the project manager until his retirement from bps. And now I'll ask eric to summarize your next action.

Eric Engstrom: Thanks, Andrea. Mayor. I'll recap where we are in the process and outline the

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actions that we're asking you to take today. As you know, the shelter to housing continuum package does four things. It expands where shelters are added. It allows group living more broadly through the city and allows occupancy and tiny houses on wheels in certain circumstances. This will be the fifth meeting. As you recall, you had a meeting on March 17th, deliberations on the 24 and considered amendments and had supplemental hearing on April 14th. Today we're bringing you three things to implement your previously adopted amendments to the package and asking you to incorporate these changes before taking the final vote. Those three things are -- are -- first we have updated as amended project reports which are in three volumes, volume one is a short summary report describing the project and it has been updated to conform to the amendments you adopted. It serves as legislative intent and supports finding. Then there's strike through and underline format consistent with what you adopted and it includes commentary. Volume three, contains the as amended text for all of the other city titles which include as -- as the clerk mentioned, titles 8, 15, 17, 20, 21, 29, 30 I believe. And then in underline format consistent with your amendments. That's the first thing is to accept those substitutes. Second, we have a findings report which contains the analysis describing how the ordinance complies with land use policy. Third we have amended ordinances in the package. One for the code amendments and one for the other titles. Each one has two effective dates. One for the shelter related aspects of the project and the one for the other elements including the tiny houses on wheels and rvs and group living elements. The shelter elements would be effective immediately, well actually this Friday. We asked for just a few days to make sure that we could post the code to the website.

The second element with a group living and -- and tiny house elements would be on August 1 to coincide with the residential in fill project effective date. These itemize each code section. We had to make changes to the ordinance to implement the various amendments that you made which added -- and moved a few sections around. That's the changes to the ordinances. The -- as amended version is the version that -- that the clerk has posted to the agenda today. It is my understanding based on conversations with the city attorney that I think you can bundle these into two motions, one for each of the ordinances. In summary, what we're doing is we're getting a motion for the changes I just described, accepting those for each ordinance and I can walk through those again if need be.

Wheeler: Can I see if I understood that. Can I see if I can walk through what he just said so I understand from a technical perspective what we're going to do?

Engstrom: Certainly.

Wheeler: You would be seeking two motions. And top me the at any point when I'm wrong. One motion for item 290, one motion for item 291. So far I'm right?

Engstrom: Correct.

Wheeler: For 290, it would be substitute -- let's to it in the order you did it. It would be substitute volume one and two. And it would also be substitute the as amended findings report and it would be amend the ordinance to conform to the as amended version with the specific date. That's for 290. Is that accurate?

Engstrom: Sounds right.

Wheeler: For 291 it would be except volumes one and three, the substitutions for one and three and then the md ordinance to conform to the as amended version with the specific date for 291. Is that right?

Engstrom: That's sound right as well.

Wheeler: What are you looking for my colleagues? A motion for the 290 and then the 291?

Engstrom: Correct.

Wheeler: Okay. Colleagues unless you have any other questions, I'll entertain motions.

Hardesty: So I'm sorry, 291 is what we're replacing? Is that correct?

Engstrom: There are two ordinances, item 190 is the first one and item 291 is the second one.

Hardesty: I move we adopt 290, 90 as presented.

Engstrom: Just to be clear, these motions are the substitutions that the mayor listed.

Hardesty: We're moving to accept the substitution as presented by the mayor.

Wheeler: I see Lauren. [laughter]. I just want to make sure I understood. What we're doing, the motion for 290 made by commissioner Hardesty is that we would -- and please, everybody follow along to make sure I got this right. I don't want to have to do it twice. Substitute the as amended findings report dated April 27th, 2021 as exhibit a. Substitute the as amended volume one report dated April 2021 as exhibit b. Substitute the as amended volume two report as c and last but not least, amend it as the as amended version dated April 20th, 2021. Is that right, eric?

Engstrom: If Lauren thinks so, I agree.

Engstrom: It is right.

Hardesty: Yeah. What he said, I said. That's the motion.

Wheeler: Hardesty moves that, do we have a second? Second from Rubio. Eric would like us to vote on these individually or put them both on the table.

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Engstrom: I defer to the city attorney on that question.

King: I think the idea was having it move as one motion, so you could to one vote on that whole amend the ordinance in one vote, rather than four votes.

Wheeler: Let me move on, for 291 --

King: I'm sorry. That will be a separate motion.

Wheeler: Let's put it on table and have discussion and answer questions and we can move on.

All right. 291, the motion would be unless someone else wants to make t commissioner Ryan do you want to make it?

Ryan: Sure I move 291 as presented.

Wheeler: Very good, we're accepting the report and we're accepting -- I shouldn't say accept, we're substituting the report dated April 2021 as exhibit b and substituting the ordinance, amending the ordinance to conform to the as amend version dated April 2021. Does that sound right?

Engstrom: It does to me.

Wheeler: Yes. I'm hearing no objections. Nobody is jumping up in the back and saying I object, your honor. That's commissioner Ryan's motion. Is there a second?

Hardesty: Second.

Wheeler: There's a second from commissioner Hardesty. Both of these are now on the table. We will constitution and vote on these and then eric and -- and Lauren, we would then have to -- once we -- assuming we approve these changes, these substitutions we would still vote on the core ordinances as amended.

King: Right.

Wheeler: Good. So colleagues, everything we've done so facts and circumstances any follow-up questions or thoughts or cartoons you like turnover to the public record? Keelan, on item 290, as amended, call the -- call the roll -- sorry, the amendments relate -- the amendments package related to 290, please call the roll.

Ryan: Procedural question I had my hand up. I have a special needs moment. When I two physician I make my comments at the wrong time. I'm just trying to coordinate with all of you.

Wheeler: This is not the last vote.

Ryan: Let me know when I am supposed to make my comments. Back to making this vote here. Aye.

Haresty: Aye. Don't feel bad commissioner Ryan, all of us are at one point or another mixed up

to where we are at any given time. It is acceptable. [roll called].

Wheeler: Amendments on the table for 290, or approved for 290, for 291 the package of amendments, any further discussion? Please call the roll. [roll called].

Wheeler: We're down to the final votes on this. We will vote first on the adoption of the as amended ordinance 190 and then we will vote on the adoption of the as amended ordinance item 191. Do I need to make a motion, warren, I understand as land use these things can get squirrely or can you just call the roll.

King: Just call the roll. So --

Wheeler: My apologies

King: Yes, go ahead and call the roll and that would be two vote and final votes and closing remarks.

Wheeler: Anybody that wants to give a speech, this is your opportunity. Keelan, first we're going to vote on item 290 as amended. Any further discussion? Please call the roll.

Clerk: Ryan.

Ryan: Okay. Here we go. Thank you. First of all, thank you mayor, and I'm just so glad we arrived at this moment, I like to thank everyone that worked so hard on this issue. In my office and the mayor's office and Ricardo and Rubio's office and Hardesty's office and Adam in Mapps office and Engstrom and all of the people at planning and sustainability and the others that were mentioned earlier by Durbin and engaged on this issue. Many provided testimony. It was really strong testimony. And some of the others. It is remarkable to see what we really can accomplish when we work together. Colleagues, we're -- we're at inflection point, obviously, and we're facing this crisis. Right now, we face an unprecedented emergency on our streets. As the number of chronically houseless individuals has grown at alarming rate, our current response is inadequate. Our work to cite shelters has been hampered by zoning codes. We made significant process by standing up at the shelters. Our ability to provide aid to those in need was an example and provides glimpse on what outdoor shelter can look like. It is clear that we need as a city and council and region a more comprehensive solution. Over the past three weeks, the city council has taken a slow and deliberate approach to the changes, insuring the public had an opportunity to weigh in. These changes will allow the city to have much greater latitude in shelters and including indoor and outdoor shelters. Under the most recent amendment, the site which includes community of faith and other organizations will be able to have up to 20 bed outdoors without a review process. Last week we also heard testimony about the barriers that

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these can create with it comes to tiny homes and rvs. We heard you and city council is planning to work on a work session for this issue. All of this is critical to make sure we have the ability to meet the need of the most vulnerable and I can't stress enough, this is only a first step in -- in -- in solving this crisis. Once we completed this code change, we have to follow up by creating shelter options that meet the need. This conclude include alternative shelters like St. John's village and kentan women's village and outdoor shelters like cp-30 and shelters similar to hazel nut grove. And the city is largely aligned in the belief that this emergency requires an urgent coordinated response. When the metro supportive housing services measure, the American rescue plan. There's options for initiating an approach that meets the urgent need we see in the community. This is an all-out effort which will include the council and direct service providers that contract with the joint office -- of homeless services and we welcome those new partners to the table. Each of us, each of us and our entire city have to realize that we cannot continue the same stages and tactics and expect the same -- and expect a different result. We're going to have to lean in together and make choices that are difficult for all all of us. I look forward to doing that with each and every one of you. I vote aye.

Clerk: Hardesty.

Hardesty: Today I'm very proud to be a Portlander. I'm proud to be a member of the Portland city council. I'm proud of the dedicated public servants who continue to think creatively outside of the box as we address the severe crises, the many severe crises that we're facing as a city. I want to thank director Durbin for her thoughtful leadership, continued leadership, and I want to thank Joe Zhender and all of the staff that worked intentionally, moving in with people pushed back. Asking clarifying questions. Making sure that -- that we understood what the tradeoffs were. As commissioner Ryan said, we are in a crisis. The crisis will only get worse if we're not using every tool available to us to make sure that we can help people where they are with some basic supports as we continue to build housing that people can afford to live in. The number one reason people are houseless in Portland is because it cost too much money to live in a city of Portland. The data shows that 25 dollars an hour is what people to make in order to afford a one bedroom apartment in a city. Many have disappeared around this economic testify station brought on by the pandemic. We're not jobs paid a living wage with secure benefits that allowed people to be able to take care of their families. I have every confidence in my colleagues that we're all leaning in to make sure that we're not tied into what we've always done as commissioner Ryan said expecting different results pip want to speak to the public who will

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have to accommodate a new reality. The new reality is that houseless people will be with us for a while. The question is, as a community, what to we do? To we call 911 and demand to remove them or figure out how we could provide mutual aid to insure that people can survive on our streets. I want to be very clear. I don't want anybody living on our streets that doesn't want to. Anybody that wants a bed and roof should expect that as being a human being who lives in the city of Portland. For too many families, working minimum wage jobs don't provide resources for first and last and security deposit and pet rent and -- and pet deposit. That's the reality of where we are. I want to be clear; this is not a quick fix. We will continue to -- to develop new tools to address this severe humanitarian crisis that we're in. I want to thank commissioner Ryan and commissioner Rubio for your leadership and your leaning in in ways that were necessary to actually unlock opportunity for people in our community with very limited resources. I'm proud of the camp because they're self-managed. They actually adjust some demographic missing pieces that are in our current shelter system. I am so grateful for -- as for places like the village that continues to manage well. I'm saying to our community, our community, we need all hand on deck if we're going to resolve the crises, this humanitarian crisis that we're in. That means all of us will give up something. All of us would give so much more if we learned in and it our part. We don't have to all do it all. Just our part. Making land use changes today, what it does is provide opportunity, opportunity for people to be able to live with dignity on our streets while we continue to use every resource to make permanent housing that people can afford to live in a reality and in some cases with support services because there are people who need those as well. This is -- I'm proud to be a Portlander. I'm proud to be on the city council today. This is hard work. It was easy, we had fixed these crises a long time ago. It is hard work; it took cross bureau collaboration and an open spirit about not this is the way we've always done it and to have faith in each other. I have faith in you my colleagues that we share the same values. I have faith in you Portlander that together these next rough couple of years we will be able to keep people living in dignity as we transition to a new normal. I vote aye.

Clerk: Maps.

Mapps: I like it echo some of the things that my colleagues have expressed today, in particular just -- just -- just a big thank you to the staff at -- at city hall, both bps and omf for the hard work on the issue. Also I want to recognize all of the folks that testified on behalf of this project. Your comments definitely made this ordinance better. I'm really proud of this. I think it is going to be an important step toward helping solve our houselessness problem. That's why I vote aye.

Clerk: Rubio.

Rubio: Congratulate my colleagues that we reached the final point of completion for the continuum policy. And we're also just beginning in a lot of ways. We will need to continue to work together to make real progress on the shared priorities of our city of which housing and addressing the needs ranks at the top. The continuum can't end at shelters. We can't forget to adequately reinforce the efforts to find permanent sustainability for houseless neighbors. There's outstanding conversations that the council will need to hold in order to continue to make this policy implementation a reality. And my office will work closely with commissioner Ryan's office in holding a conversation on -- on these structures for potential appeals to make structures like tiny homes and rvs accessible and especially those that rely on that housing. I want to take all of the staff for the dedicated time that they gave to this project. They worked very hard. Especially my staff who also worked incredibly hard on this. Thank you April for your work and your time. And as well as Cynthia Castro for her insight and her work as well. I want to thank the community members and advocates that showed up with hearts and idea and provided testimony in shaping the final product. The engagement with the community was outstanding. And -- and also brought very important perspectives and new idea emerged from this engagement. I hope to see that our community continues to show up and continues to help us shape future projects like this one. And last but definitely not least, I want to thank director Durbin and the dps staff, des and dbs and parks bureau for the engagement in this and for having the information that we needed and also a big appreciation to eric Engstrom on maintaining an outstanding delivery of this project with a brand new council who has various levels of knowledge on zoning. Very big appreciation there. I'm proud of the end results of our work today. I'm proud to work along each one of you as my colleagues and our team and bureaus and on behalf of the community members that are deserving of respect and dignity and a place of their own. I vote aye.

Clerk: Wheeler.

Wheeler: This ordinance gives us the foundation we need to continue to work to address homelessness without perpetually relying on emergency powers. We have more than doubled the number of shelter bed we have in the city of Portland. There's another 800 people who have safely and stability they need to sort out the coexisting challenges of being houseless in a time of covid. Expanding our system, we learned two valuable lessons in insuring they're successful, first we learned that success in bringing people inside is contingent on the opportunity for people to remain where they feel connected to their community. You can see for yourself, just

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visiting all corners of the city, the need for shelter exists across all neighborhoods and throughout all corners of Portland. We need these critical resources and community assets distributed across the city. The changes made with these ordinary -- ordinances give us the flexibility to do so. We learned -- from people with lived experience, the traditional congregate shelters don't necessarily work for everybody. I learned this first hand when visiting the old town village, outdoor emergency shelter that was set up last year in response to the covid-19 pandemic. There I had a conversation with a participant, who assured me this shelter provided her with a strong sense of community and belonging that had been lost when she was no longer able to afford to stay in her own home. A critical feature of giving people hope and socialization can serve as a springboard to finding work in a more permanent home. So we're codifying in city charter these changes to allow this new use type. Outdoor shelter. Successfully addressing this crisis takes the entirety of the community. For that I'm thankful to all who shared their testimony and support for the project. I also want to recognize bureau staff who has been shaping these projects over the past months and indeed years. When we directed the bureau of planning and sustainability back in 2019 to develop a legislative proposal to create an easier path for citing a permitting temporary housing and shelters and alternative shelters, I knew it would be a monumental undertaking. It was. I'm so pleased this created the opportunity for many agencies to collaborate and work together on a complex problem. The staff has been involved since its origin, I wish to thank from dps, al burns, Eric Engstrom and phil. Those from the bds. April roman, and omf, Johnny Lewis and from ph, Jesse Connor. I want to thank our planning and sustainability commission for their deliberations and recommendations to the council this past winter. Thank you for helping us shape and support this effort. I also want to thank council staff who worked tirelessly behind the scenes to help us -- with our proposed amendments. This was a lot of work. I want to specifically thank Rico Lujan Valero and Derek Bradley and Zach and Stephanie Allen from my office. Thank you all for your tremendous work on this. Last but not least, I want to thank my colleagues. This could not have happened without you and your strong political leadership and your willingness to hear from so many people so many groups, so many organizations and make something really positive come out of all of this hard work. Thank you, colleagues. I'm really proud to be serving alongside of you, especially at times like this. I vote aye. The ordinance is adopted as amended. We will take a vote on item 291 as amended. Please call the roll. [roll called].

Wheeler: Ordinance adopted. Colleagues, our next item is not until 2: 45. We're in recess for the

next ten minutes. We'll reconvene at 2: 45. [recess].

Clerk: Mayor, this is Keelan, I believe Paul Van Orden was going to introduce this item. Is that correct?

Paul Van Orden: No I believe my manager at civic life crew was going to start off.

Wheeler: All right. Please whoever wants to start go ahead. Notice it isn't me.

Michael Montoya: Thank you. This is appeal of a noise variance. We have allotted an amount of time for each of the following people. I'll give you a general run of show. The first is the notices control officer Paul Van Orden who will give an overview of the situation and the appellant will be given ten minutes to talk about her appeal. Then it the noise control officer will clarify and add their findings clarifying points for a final five minutes and then it will be up to you as to how you all would like to proceed. If that's clear, I would hand over to the noise control officer.

Paul Van Orden: I'm the city's noise control officer. Thank you for the opportunity to explain the noise variance and have an opportunity for the community to have opportunity to appeal. This relates to two primary elements. The first one is a heater system. Temporary heater system at restaurant facility that -- that was being used in the pandemic to -- to warm the tent up and was initially a concern for the community. We worked with the city to mitigate the sound and even when it is over by a few decibels, that's the component is cover a few decibels over the code for an intermittent use of the heater. The second component in play is a set of speakers. There was concerns about speaker systems being used at this restaurant. The primary concern for the community was the speaker systems were being left on when the staff at the facility left at night that was resolved, the other part to address and collaborate on solutions was administering. The ability to use two small speakers on the facade of the building pointed to a tent-like structure which I'll show you in a moment. Those speakers were operating at a level of 55 decibels normally and in the variance, the extent of the noise variance was they would maintain the average level within compliance of the code but if the speakers got turned up at any point, they could not go over four decibels of the code, 59 decibels. So the two variance components we're talking about are nominal in terms of a heater system that was allowed to go up two and three decibels over the code and a speaker system that needed to be at the code. If it went over, it needed to stay within four decibels of the city code, up no no greater than 59 decibels. If the auditor staff can open up the first attachment which is an aerial map, I want to point a few things out. Not sure how it will pop up on my screen. Is council seeing the map? I can talk without it having it open in front of me. There we go. Now we see it. The map depicts the neighborhood

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and you'll see the red point fairly central to the photograph is -- is the structure for the cafe now and you'll see in very close proximity to your right is a residential structure zoned residential. You will see to the north of the red dot a series of right rectangles that are tent-like structures. That's the parking lot that adjoins cafe now for the purposes of our discussion today, it is a residentially zoned parcel in the city. North of that, is a -- is another residential structure that is fairly close to -- to the parking lot structure. So in this particular case, we're talking about residential zoning to residential zoning. And as you look through the neighborhood, you could see there's -- maybe hard to tell from the aerial view, but there's a mix of uses. There's a lot of residences and commercial establishments in close proximity. For the noise office, we're primarily concerned about the a then secondarily what are the use patterns in the neighborhood in terms of is it a purely residential neighborhood or a mixed use neighborhood. All of those concerns are -- are taken into account. If the clerk's office can open it up I can explain the nuances of the decibel quickly. The chart that is going to open is from the city code. If we slide up a little to the highlighted section, there we go, the part that I highlighted just helps delineate, we're looking at a property that is emanating, primarily for neighboring residential structures that are zoned residential. So without a noise variance, they need to meet 55 decibels from 7 a.m. To 10 p.m. Which is the times that they looked to use the heater or the speaker system. Without a variance both of those items would maintain at 55 decibels. The level that we're -- that we're -- we're a manipulate starting a noise variance for was intended to -- to find a way to -- find a midpoint that is reasonable and does not negatively impact the neighbors with excessive sound but also maintains an opportunity for the heater system or the speakers to be operated by the -- by the cafe in its unusual circumstances and the temporary circumstance of the pandemic. The level we were permitting was maintaining on average at the city code which is 55 and the operator was required to monitor several times through the day, if the sound level got turned up too loud it needed to be brought downright away, back to the of a ran 55 and at any one point it should not go over by the city code by more than four decibels. For the purposes of -- of the city council, the two item that we're addressing today relate to -- to -- to an intermittent use of the heater which -- which was days that were cold enough to heat the tent up a use auxiliary heating from the normal small propane heaters at each individual table. The utilization of the stereo system and only up until 9:30 at night. The final thing I want to mention to counsel is a noise variance can often be our opportunity to have -- to have an inroad to resolving community issues because we don't have tools other than enforce that that we can draw on. Our hope in the noise

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office was to address the concerns brought to the table and we were able to do that through the noise variance because we normally would not be able to require a person to monitor multiple times throughout the day. We not would normally be able to require someone to not dump their glass and wake up neighbors. We would not normally to have set times. The sound levels in this case that we're administering are close enough that we would not move forward with an enforcement case if they were that close to the city code. So the noise variance gives us a tool to try to keep things in check in a situation where we don't have ability to send staff a measure to see if they're over the standard. The discussion for today, for council focuses on these two elements. The intermittent use of the heater, to warm a tent up to a temperature to use quieter heaters and the use of two small speakers on the face of the building pointed in the tent. And the last component, I forgot to mention is that originally the operators were using a blue tooth speaker that their staff could move around the tent and potentially move close to the neighboring property lines. One of the other solutions in the noise variance is that the routine use of these speakers were background ambient music was moved about 35 or so feet away from one of the primary neighbors and back to the building instead of close to the property line. They thought they were reasonable applications of title 18. I would be happy to answer questions. Thank you so much.

Wheeler: Thank you Mr. Van Orden. Commissioner Mapps had a question.

Mapps: Quick question. Thank you for the clear presentation. When does the noise variance expire?

Van Orden: It expires at the end of this month. So we had hoped in dialogue to have this before council earlier and so we unfortunately are in a position where this particular variance will be finished in the coming days.

Mapps: To we know if the cafe plans to apply for an extension or new noise variance?

Van Orden: I do know they're not using the heater. It is a temporary situation. Hard to see that we would be in the exact situation next winter. At this point I can't see that the heater would be an issue any more. In terms of the system, that's -- that is a great point. I would imagine that -- that the discussion today would probably set the tone if an applicant would reapply or work to maintain it at exact lili -- exactly 55 and below.

Montoya: Thank you. Now the opportunity for the appellant to give your ten-minute presentation. Thank you.

James Laurick: I'm a lawyer in Portland and I represent the mercado family. I think

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commissioner Mapps, you hit the nail on the head. This application, this variance expires, if the appeal is denied, it expires by its own terms this Friday. Our family believes this issue is so important that they do want to address the full council and Mr. Mayor with these issues. But recognize that -- that -- that come Friday this -- this -- this variance will expire by its own terms. Miss Mercado submitted excellent written materials. I intend to highlight those as well as Mr. Van or -- Orden's. At the time the restaurant was known as cafe. It was quiet restaurant and limited to indoor activity. It should be noted it is limited to 49 patrons. In the last several years it has changed. The Mercados were comfortable knowing about the property, because there was an empty, other than cars parking lot between their house and the restaurant. And there was no evidence whatsoever, no history of any outdoor activity associated with the restaurant when they purchased their property. The root of the problem and Mr. Van Orden mentioned it. The root of the problem is the illegal improper conversion, with no notice and no opportunity to be heard by the neighborhood of the parking lot. He's correct, it is a residential zoned parking lot. This is a residential neighborhood. The parking lot has been improperly converted with no input from the neighbors to an outdoor but enclosed tent restaurant that frankly increases the capacity of the restaurant far beyond 49 which is permitted by the -- by the -- by the other line permit for that restaurant. So the underlying problem, as you can imagine, the sheer volume of noise that is generated from -- from -- from a very active tent restaurant with a full bar, going -- going -- for long hours on the weekend and it opens, I believe at 9. It closes at 11. It should be noted that cafe Nell expanded its hours to 11 from the original previous 10 p.m. This contributes to an extreme -- an extreme impact on my clients and the adjoining neighborhood. If you simply count the number of tables and available seats in the tent coupled with the outdoor seating along both northwest and northwest 20th, the number of possible patrons far exceed 49. Adding two exterior speakers will only increase the noise level and the volume of the customers using the tent. They'll need to overcome this so-called ambient noise emitted by the speakers. The speakers are -- if they're installed, will be pointed directly at my client's single family home. The Mercados have three children living at home. The youngest is 15. His bedroom overlooks the parking lot with noise from the customers, coupled with the speakers. It is no surprise that he has difficulty sleeping and doesn't sleep during normal family hours. It is impacting his health and the health of the family. And there's a condo kitty corner behind cafe Nell. Folks at the condo express concern to Renee Ricardo about the impact, it is having on them. And the neighbor to the east which has virtually no setback from the restaurant is a single family

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with children in that home. They're impacted greatly by the notice, the traffic and -- and adding speakers, which by the way, haven't passed as far as we know any sort of design review. This neighborhood is closely and heavily regulated when it comes to design. There's no design approval for outdoor or exterior speakers. In fact I don't think there's been design approval for the awning out by cafe Nell. The mercado family is very sensitive to the impact covid has had on the restaurants. It has no objection to the interior use of the restaurant and it has no objection to the additional tables along the two streets. It has serious objection to the conversion of the parking lot and they have filed a complaint that for whatever reason hasn't made its way through -- through -- through the complaint process at the city pip understand the city is considering some relief when it comes to -- when it comes to zoning variances. This is not northwest 21st, it is not northwest 23rd. This is a -- this is a residential neighborhood. All you have to do is two check out stores and other restaurants on 21st -- I can't think of any other restaurant that I've been to outdoors that has any outdoor amplification or -- or speakers. There's just no need for it. And it frankly just rubs salt in the wound of the underlying improper conversion of the parking lot. Let's talk about the technical noncompliance with the city code and -- and this noise variance application is subject to. First, the application itself which is part of the record. It is handwritten. It talks about this commercial heater and if it expires this Friday and the weather is warming up, the heater is probably not an issue. But the speakers and specifically the application for the speakers is not plural. The application itself says one speaker. But more importantly the notice to the neighbors doesn't even mention speakers. Of course the city code 18.020 -- excuse me 18.020, lays out the factors to be considered and it lays out the -- the -- the process by which an application is made. The fact that the notice to the neighbors does not even mention speakers is a violation that renders this variance improper. If you are going to consider it as proper, it only talks about one speaker. For some reason the noise officer has granted two speakers. That's a violation. The code section also lays out six factors that are to be considered by the city in granting up a noise variance. Number one, physical characteristics, times and durations of the emitted sound. This is a residential neighborhood. I can't emphasize that enough. It is a very dense neighborhood, allowing speakers to be monitored on the exterior of the restaurant will just add to the customer speaking louder. It is -- it is -- improper conversion to live with. So adding speakers will only increase the volume. It is improper. Number two, the geographic zone and population density. This is a dense neighborhood. Probably the best evidence of that is when cafe Nell circulate the notice by my count that -- they circulated or

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delivered at least 200 notices. There are a couple of apartment buildings. There's a women's shelter. Kitty corner across the street and then there are these two single family homes right next to -- to the restaurant.

Montoya: You're -- you're running out of time.

Laurick: I got one more minute. Thank you.

Montoya: You're one minute over.

Laurick: Okay. Let me just wrap it up. If you look at the rest of the criteria or factors to be considered, it is having a health impact on the mercados. There's noncompliance with -- with the -- with the city code when it comes to the parking lot. There's no impact, no negative impact to cafe Nell not to allow these speakers and no demonstrable impact it would have on their business without these speakers. With that said I appreciate the opportunity to be heard. Thank you.

Montoya: Thank you.

Laurick: I think Ms. Mercado will speak.

Montoya: At this point it would be the opportunity for Vanessa Preston to give comments but there will be opportunity at the end of everyone's initial presentations for subsequent testimony.

Laurick: Thank you.

Montoya: Any questions? Okay. Vanessa Preston you got five minutes.

Vanessa Preston: Can you see me? How do I turn my video on.

Hardesty: We can hear you.

Preston: You can hear me. I'm trying to turn my video on. I don't want to share my screen. Here we go start video. There we go. Can you see and hear me now? Commissioner Mapps, commissioner Hardesty, and mayor Wheeler, commissioner Ryan and who did I miss?

Hardesty: Rubio.

Preston: Rubio. Thank you very much for your time.

Hardesty: And the mayor.

Preston: I said mayor Wheeler, didn't I? When I sat here a year ago and you know tried to figure out how we were going to survive an unprecedented situation, I had no idea that I would be sitting here today. I had no idea that -- that getting creative and trying to figure out how to keep 35 to 40 people employed would create and this is my employee Trevor sitting next to me, would create havoc within a neighborhood. We've been here for 12 years. We're integral part of the community. We have bent over backward to be neighborly. When we are allowed to reopen

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from outside service, I did not see any way that looking forward into up an 18-month abyss as I saw it that we would ever be operating inside for 12 to 18 months. At that time I thought, what in the world are we going to do? The adjacent parking lot that we used for 12 years, I contacted the owner and asked if we could operate outside and came to an agreement with them. The liquor control division put out a permit form for operating outside and the provisions of that permit were to have -- to have -- to have the permission of the property owner and abut or join my space. Given the fact I had permission under a state authorized agency in the pandemic, it didn't occur to me I had to get permission. I thought the state had given me that permission in these impressive circumstances. Now looking back a year later --

Hardesty: There's some noise in the background. I think James if you could put your -- your thing on mute that would be helpful. I think if people would be on mute we could hear the testimony.

Preston: We're sitting in the restaurant.

Hardesty: You may be creating the noise. I thought maybe it would be quieter. Thank you.

Preston: We operated outside then until -- through September and -- and as the winter approached I -- I -- I didn't know how we would make it through the rainy and cold winter but the city -- the city -- a permit was not required to put up a tent for six months. That was under 700 square feet. As we approached winter and rain, I knew we had to cover more area than that otherwise employees would be -- it just would not be possible. So at that time I reached out to the -- to the -- to the -- to the fire marshal's office and I obtained an event permit. I obtained a -- a -- a tent permit. I drew up specifically how I intended to -- to -- to add more tents and cover the entire area. Because I had to spend about 40,000 dollars on tents and heaters. I knew I needed to have that approved and I sent it over a received approval for that. I spent the fund. Even though again looking into the abyss, I -- I purchased propane heaters and I thought my gosh, like I didn't even though how we were going to pay the propane bills. I knew my staff would still be working sometimes in 20, 30 degree weather and although I had purchased blankets that we sold and I purchased fleeces for my staff to wear I sought some avenue to at least in an open area, on days that it was 20, 30 degrees bring up the ambient temperature in the workspace a little bit so they could work comfortably. My spouse works in construction and he said there's got to be something other than propane heaters. He said when we're building a building, we have buildings on the inside. I mean we have the heaters on the inside. I researched and I didn't get just a construction heater, I went to the premier company that makes heaters for

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events, for hike wet weddings. They're made to be quiet. Again, I applied for a permit for electric and gas and had the city come in and install that and put a heater on the back of the building so I could pump some ambient heat for my staff to be able to work. Given the fact that I got multiple permits, I was blind-sided when the neighbors were up set about -- about this heater which -- which -- frankly, if it had been loud, my patrons wouldn't have been able to stand it. I began to receive calls from the city, the fire marshal's office came by and building services came by because calls had been made to the city. When Mr. Van Orden came over, he took a reading. He said I'm going to ask you to build a temporary wall behind this to mitigate sound. I had it built within less than a week. He's asking me to do so. It didn't occur to me I needed to apply for a noise permit. He said apply for a sound variance, in the event you go over the 55 decibel code that -- that you're -- you're -- you're -- you know, we're taking care of that. I it immediately as he asked and I --

Montoya: Miss Preston, you're out of time.

Preston: Absolutely. Thank you. Thank you for your time, we appreciate you.

Montoya: Unless there's questions pressing, it is an opportunity for Paul Van Orden to add clarifying points to what we heard.

Van Orden: There may be additional questions after the council clerk introduces anyone that may want to testify. I'm not sure if there's names of folks that signed up. I think that's what Mr. Lauer was mentioning. But the point I want to share with the council is noise variances and what continues we set on them, whether it is the noise review board who has oversight of my work by delineating what staff review and what variances two to a full public hearing. Those decisions we make in the process there's leeway. There's conditions like -- resolving issues with glass dumping. There's a concern about speakers, are there other concerns that -- the main goal of the city in administering this program is to find your best solutions we can for the community.

Mapps: Thanks. I apologize for interrupting you. If you want to finish your thought, you can.

Van Orden: I think that was it. I wanted to make sure I clarified that noise variances are unique -- unique in a situation in a city like land use and look at each situation.

Mapps: An item that was brought up was the -- was the variance being for one speaker as opposed to two speakers. Can you help me think about that?

Van Orden: In this case we're talking small speakers. My thoughts are -- first of all the decibel levels I've experienced there have not been excessive from multiple speakers. The challenge was moving it, it could be moved to another home that is -- is -- to the east I want to say. The

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resolution of getting the speakers against the building gave us some distance to the neighbor so there's better capacity to maintain levels in compliance or below compliance. That was the thought process on one or two speakers but getting them back up against the building and not roaming around with staff who could potentially move it. It was actually the operator helped point that out. Staff could help us move the speakers. This was a good solution to keep it from being a sound system right up against the neighbor, scenario.

Mapps: Let's say this council decides to support the appeal. When does that kick in? Today?

Van Orden: We may have to get a clarification from -- from the city attorneys present. I assume it kicks in right away. If council were to say the variance is null and void or if you change any component, that -- that would be whenever you like that to start.

Montoya: Mayor Wheeler would you like to call on people?

Wheeler: Next is Hardesty.

Hardesty: thank you, player, thank you -- thank you both. Paul for your presentation as well as vanessa. My question is for you, Paul. Are you providing these differently based on the pan team mick and our desire to remove obstacles to our staying in business?

Van Orden: You know, this is such a unique time that I'm trying to take that issue into account. We have it consider it. How do we apply title 18, the limitations of the restaurant and the impact on the neighbors are unprecedented? How do we apply these fairly and still recognize noise is a human health issue? Most definitely the pandemic sets the tone for a way that we're administering things right now.

Hardesty: Would you move differently if we were not in a pandemic?

Van Orden: I would probably say that we would look at less days of being able to use the application. I may have, as we've done in many cases, said that you can operate inside, we're going to allow you to do this on Fridays and Saturdays and have a vibrant atmosphere but multiple days is a bit much to ask for in a normal situation.

Hardesty: I appreciate that. I had it up. I was surprised that there's a run on this site since 1982. I believe this has always been a residential neighborhood but for some reason in 1982, somebody allowed a restaurant to open there. Do you know how long a restaurant has been operating on that site? I hoped your response would be, yes the first one opened in 1982.

Van Orden: Unfortunately I don't know the exact date. I do know.

Hardesty: What I'm reading from is from Wikipedia a sometimes it is accurate and sometimes it is not. My point is there's been a restaurant operating almost nonstop at that location since

1980s. The pandemic is something we never experience before. Your decision would not have necessarily been different.

Wheeler: I have a more fundamental question. This doesn't get to the arguments but why is the council hearing this. This is the first time I've heard a noise dispute. I'm curious why we're hearing a noise dispute?

Hardesty: Maybe because the auditor with her permission for administrative hearings.

Van Orden: I can help answer that.

Wheeler: Maybe I'll put it in a sidebar box for later. I don't want the council to end up being the noise code enforcement. This is a good use of council's time. Can you tell me how are we hearing this issue?

Van Orden: Absolutely. The city attorney's office may correct me if I'm off but whether the noise code was written which was back in 1976, my predecessor dr. Herman helped to craft a code that would allow for a long-term project like construction projects that go on for years and multiple years that are serious and impact a large part of the population to allow those decisions by the city's noise review board and noise officer to be appealed to city council and in the 40-plus years of the noise code there have been very few appeals before city council. The challenge is I believe the noise board would like to address and has talked about on a few different occasions, is removing the more basic appeals that are not noise board and multi-year and big projects from city council's review and going someplace like a code hearing office. It would be allowed to go quicker and not have something considerably -- considerably different. There may be guidance on this and the board to the council on noise issues they like to see the rudimentary variances that are administered at staff level, for the appealed to council but appealed to co-hearings office.

Wheeler: I want to be clear. I'm not belittling in any way the importance of this issue, for the people directly involved. This is a very important issue. I want to be clear. That's not my point. I guess the question I need to understand since I'm going to be asked to vote on this, what criteria are we using here? When we do land use, we have very clear criteria by which we judge these issues. What are the legal criteria that we're using here in order to make a decision?

Van Orden: That I may turn over to the city attorney so I don't miss something in that response.

Wheeler: I haven't heard what basis we're supposed to make a decision.

Tony Garcia: This is antiquated section of code as Paul has outlined and we're here because this type of appeal goes to council according to code a code does not have a lot of parameters on

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the procedures for -- for overturning this decision. So council really has the discretion to decide whether the wrong decision was made and whether the code was applied incorrectly.

Wheeler: Okay. Marginally helpful. Thank you. I will put aside my question which is then, are you telling he in four-plus years that I've been here this has been no dispute or -- or disagreement with -- with Paul Van Orden's decision. None of these came to the council since I've been here. Paul, I got to hand it to you, you're doing pretty well under those standards. Given the code itself as you describe it, that still doesn't give me a lot to two on except for the judgment, the noise compliance officer Paul Van Orden. Paul seems to be making a rational argument upon I'll state the obvious since we're thinking this. This sound like it could also use mediation, neighbor-to-neighbor mediation. Renee. We'll get -- enough. Let's get to testimony. Maybe somebody could shed light on this. Three minutes each. I don't know how many people are signed up. Tony, what did you have to add?

Tony Garcia: Mayor Wheeler I was going to add that --

Wheeler: I can't hear you.

Garcia: For anybody, it is typical to identify where there was -- there was -- can you hear me now?

Wheeler: Try it. It is better.

Garcia: I'll say.

Wheeler: We can't.

Hardesty: We can't hear you.

Wheeler: Tony, you sound like you're on mars. I can't hear you. Sorry. I have no idea what you're saying.

Garcia: Look at error or misapplication.

Ryan: Nothing like this happening during a noise ordinance hearing. He put it in chance that he will put the response in the chat.

Wheeler: My question is this, since we haven't had a hearing like this. Anybody can answer this. Renee is here. She would like to speak. I feel like we should give her the opportunity to speak. Is there an opportunity for people to testify? Do we have the flexibility to hear what she has to say?

Montoya: Yes. The council has wide discretion on that.

Wheeler: Anybody have any objections? I'm not seeing any objections. Renee, go a keep it is succinct as you can and still make your point.

Renee Mercado: Thank you. This is my daughter Sofia and my husband. They have sound bites

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to share. And registered for the three minutes. I hope we can do that. I want to reiterate that this is a neighborhood -- residential neighborhood. The restaurant is on a residential lot. It has a conditional use permit that allows them to have 49 indoor seats. As you can see from the aerial photo the parking lot is three times the size of the restaurant. I know we're in unusual times but we're dealing with this excessive noise from the patrons in our homes and bedrooms and adding speakers only makes people talk louder. I don't believe we need music to eat or to enjoy our food or -- or the -- the -- the beautiful space that Vanessa created. I think the speakers are obsessive. What it comes down to are these facts. The application requested one speaker. The public noted this, it had zero speakers mentioned in it. The neighborhood doesn't know this speakers were being asked for which is a requirement. Third, the noise officer, Paul, rented two speakers without even letting the neighborhood know we're going from zero to now two. I don't think we have dispute over the industrial heater.

The sound barrier seemed to mitigate that sound. The only thing we try to get you to hear us on is why the additional use of noise? Vanessa had two speakers on children and two on a two pointed at my house. This is excessive and not necessary.

Sofia Mercado: I'm Sofia. Thank you for listening to me today. It means a lot to be able to use my voice. I'm 19 years old. I'm blessed to be from here and live here. I want to start by saying that. I'm happy to say cafe Nell to more than surviving during these challenging times. When this was built, we were all really impressed and it is amazing what she created. Everything comes at a cost and we didn't see that at the beginning. I believe my brother is paying the most cost. He has a window facing the restaurant that brings in noise. He's attending online school and I believe that to be enough of a challenge as it is right now. So adding the sound of loud conversations people are in the background, circling and trying to find a parking spot. It is a lot. I think that adding more speakers, it does make me anxious. It does add to that. All of this made the school year difficult for him and people working from home. Even school, when it is so loud he sleeps in my room instead. For how this last year has been for you and your families, your home became a safe space for you to escape from everything that is going on outside of this. You know that this year. A place to relax and distract yourself from what is going on outside. I like to say the same for my family. We don't eat dinner outside. We don't play basketball outside. We respect this business and support what we're asking for the same. Thank you.

Neville Mercado: I'm Neville. I live on the 20th and Lovejoy. We have three children. Just to point out some of the -- some things. We're in the alphabet district that is under review overlay

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which means that any structural or anything built has to go through a review. I looked for the permits when the speakers were permitted. I don't think they are. I think they're also illegal. They have never been permitted. A couple of things about -- about the decibel that we're talking about with regards to the heater. Yes, it is 59. They're allowing some decibels of 55 for the -- for the speakers and mind you, there are ten portable heaters, one for each table. I don't know if you ever been camping, you cook in the morning and you light that Coleman lamp, that sound it makes. That's a small lamp. Imagine what it would be like if it was a heating system being used if the establishment. We're surrounded by buildings. One thing the area does, it amplifies the noise. If you -- sometimes people will take their iPhone that they're playing music and they put it on a bowl or glass to amplify the sound. That's what it is like when the noise is up. The other thing is when -- when Paul tested the sound of the noise using the -- using it, I asked him when was it calibrated. He said in 2017. According to the manufacturer it should be calibrated every year. We don't note accuracy of the readings of this point. Lastly, vanessa said that she didn't know about getting permits. I attended some clam bakes she had where she had event permits and noise permits during the anniversary. It was wonderful. It was a great place. Also, cafe went through design review approval in 2008 for signage. However, there's several outstanding violations with open complaints, sidewalk cafe, from 2009 that is still open. Window replacement that is still -- still open from 2011. The restaurant's nonconforming use does not allow expansion on the sidewalk. And any changes architectural and design including the lean-tos with not permitted and need to go to the design review. Including those speakers. They're not legal, they're illegal. There's four other open complaints for noise back from 2014 and those are just ones in Portland. We don't know what else is out there. Not all of the complaints are published. Why hasn't this been resolved. Again, the -- the -- the -- you know, here's -- here's the thing. We have single family homes here. We have a women's shelter, kitty corner, our house was the Rafael house. It was a women's shelter. Affordable housing right next door, section eight folks. People in our neighborhood they don't go next door. They can't afford it. Dealing with the noise and the traffic. What we're asking is a minor, we've been -- there's a complaint about the league of -- of the site that apparently the -- the -- the commissions are going to -- to look at. I want you to see the impact to the community. Talk about this variance and this cultural asset. What culture I can tell you the folks that attend that are not in your neighborhood. They're somewhere else. The employees for somewhere else. What we're asking is just -- we're -- we're trying to live through covid too. With our kid we work from home and go to school. Just the respect about

each other and the fact that this thing is not permitted. Who is to say if you grant this because the track record doesn't show it. The integrity of the restaurant violating these code has been there. Just look at the maps. I'm concerned as a father and somebody been a father. About kid bullied at school. They fly the rainbow flag. We don't want to go to the catholic school because of their belief. That's what we're dealing with.

Wheeler: Thank you. Appreciate all three of your testimony. Thank you for being here today. Thank you for making your case. We appreciate it very much when people come in and speak in their own words. It takes a degree of courage. I appreciate it and I know that. Thank you. Do we have other folks signed up Keelan?

Clerk: Yes, we to have others signed up both in support and opposition of the appeal.

Wheeler: Okay. So not having any clear direction on this, why don't we start with people -- is there a preferred order to this from legal counsel?

Garcia: Mayor Wheeler, this is Tony Garcia.

Wheeler: You sound great now.

Garcia: It is at discretion of council whether to allow it or not and whether there's a cap on time. Also considering the amount of time for the hearing is a lot additional. That's a way of saying, it is up to you.

Wheeler: How many people are signed up?

Clerk: We have five people sign up.

Wheeler: Let's to this. They're here. They've taken the time. They have an opinion. Let's hear their opinions. Three minutes each, name for the record. Let's start with people who support the appeal. By that I mean people who disagree with the -- with the noise control officer and agree generally with -- with the arguments that -- that the mercados just made. Why don't we hear from them first and then we'll hear from people that oppose the appeal second? I want to put an -- out there it, this is not the zoning. That's handled elsewhere. This is specifically related to title 18 of -- of the noise ordinance, what we're being advised is that as an appeals body this is an opportunity to correct errors or misapplications of code, rules and procedures. In this circumstance, the noise office's discretion for the variance. The hearing is his opportunity to explain his rationale for his decision along with the application of the noise code rules and policies. The appellant swells the owner have their opportunity to respond to the decision but to be clear, we have to keep this narrowly tailored on the noise code because in a hearing specific to title 18. So I'm going to put all of this technical gobblely gook on the table. Let's talk to those

supportive of the appeal.

Clerk: First Cameron.

Cameron McKeown: Can you hear me?

Wheeler: Yes.

McKeown: I appreciate you guys having me here. I wasn't exactly in such esteemed crew such as yourself, council there. Basically.

Wheeler: I don't know how I seemed I am but I'm here.

McKeown: I wanted to come and talk because I was born and raised in the neighborhood.

There's been multiple restaurant there is. The noise at the cafe, it is a little much for what I think. I was raised there with me and my sisters and my mom. My sisters, sofia was saying they to my school and they're both in high school. They have a hard time, you know, concentrating with the people back there. With people drink they get rowdy of course. I don't know if there's need for more speakers. I was there last Sunday. I got the clip I could play for you guys. I don't know if you need to hear that. Hear it anyhow. You hear that? Goes on like that. That was there Sunday. I two to my mom's place and I visit frequently. They're out back and what not. Now it is loud. I am all for small business. I don't want to see fig fall short. It is already pretty loud. I don't know if there's anything to be added. I am wondering about the livability of my family home, pretty much.

That's all I had to on it. Thank you for your time.

Wheeler: Appreciate your testimony.

Clerk: Next up we have McKinney.

Wheeler: Welcome.

Laura McKinney: Can you hear me? I'm a Portland resident. Thank you for the time to speak today. I'm speaking in support of the mercado appeal of the variance and to the players point about forum, I like to emphasize the larger context of noise enforcement. You heard boom boom boom on the sidewalk. The car goes away and you can relax and have conversation again. That's fine, but if that sign is always there in your home and inescapable it becomes a quality of life issue, that quiet, peace. For me good air, walkable neighborhoods and all of those things that you do for us to make Portland a livable city. None of that happens accidentally. All of the investment you to in planning and transportation, each requires years of commitment and intention to the small tugs, the ones for each tug, to make a small concession leads you down the path to total compromise. This is one of those small tugs. If we can't be in our homes reliably without sufficient quiet they become places of stress. If we don't protect each home, we won't

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be protected for quality of life in all of us. It is important for the city and the future residents. Portland at one had a noise control program. Best the nation. Where is it now? Is it possible they may take what we established in our quiet for granted? Can we support noise control? Delay is almost as good as denial when you let these linger on. Average density increases which is something we need and the potential for stressful noise goes up I'm worried that the increase for variances here and other parts of the city, coupled with the significant decrease in retention and care for noise would turn Portland from peaceful to relentlessly stressful for a significant portion of the population. Will the citizens be able to maintain quality of life with respect to noise, especially if the zoning is not supported in the majority of the neighborhoods? For me, those that are making the commitment to live in high density in the midst of others, we're at high risk. This is equity and environmental issue. Hold the line on this small tug because there's just a path to a larger compromise. Thank you for your attention and consideration and for letting us speak up.

Wheeler: Thank you. Thanks for being here.

Clerk: Next up, we have Angelo Mercado.

Wheeler: Welcome.

Sofia Mercado: Actually [indiscernible] but he's in school right now. He couldn't attend.

Clerk: Next then, we have Jennifer.

Jennifer Keyser: My name is Jennifer Keyser. I basically work on the other side of -- of Kerney and Lovejoy. I hear essential workers going out of my house and I come home to the noise. There's people parking in the parking lot behind my apartment and noise and laughter, chatter. I know right when the restaurant closes because there's a dragging noise that happens every night and then at 4 or 5 in the morning, I'm woken by the garage being picked up. This is -- this is constant. It speaks to what Laura is talking about. You want to come home and enjoy the quiet of your home. There's not that. With the buzz that is happening. I'm anxious about the summer. I won't be able to open my windows at night. When it gets warm, and -- and be able to enjoy that. You know, the breeze. I'll shut out the noise and come in if additional speakers are added. So, so thank you for listening. And you know giving community input. It does in fact -- impact everyone around. Especially when it is people who -- that live in -- in -- in the neighborhood are coming to the restaurants. They're able to walk away from it. Leave their trash, make noise if they stumble in. Thank you.

Wheeler: Thank you.

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Clerk: Mayor that completes testimony for supporters.

Wheeler: All right. Now hear from people that support the -- the hearing over.

Clerk: Necks up we have Jen Bressler.

Wheeler: Welcome.

Jen Bressler: You hear me?

Wheeler: Loud and clear.

Bressler: Okay. There's a couple of things I wanted to say. Basically I have the same question the mayor had. This seems like a huge waste of time. I can't -- I can't believe this is even happening. It is -- it is -- it is -- listening to that lawyer for like 20 minutes felt like I lost brain cells. I live in the neighborhood too. Never once heard any noise from that cafe. Sorry it is hard to express how idiotic this whole thing is to me. I'm against it. Thank you.

Wheeler: Thank you.

Clerk: Next up we have Joseph.

Wheeler: Welcome.

Joseph Krebs: Can you hear me?

Wheeler: Yes.

Krebs: Hello. I've never been to a meeting because I'm laid back and I felt compelled to see what this fuss was about. After seeing flyers all over the neighborhood besmirching cafe nell, they're working and bringing back community. Of all of the things I could imagine complaining about today that people are able to meet one another, to gather with a meal for those that they love is certainly not one of them. I was there. There was noise. It was quiet enough to chat with my partnership and whisper for over the period of an hour. I'm appalled that somebody would hire an attorney to attack a small business. Small businesses have been under attack. This is assault on men and women that try to bring more normalcy back to the city and the precious time and energy of so many officials is being spent on the noise variance appeal is offensive to me. This is a portrait of privilege run wild. They live in a 6 million dollar home. I live close to you. They probably step over two homeless people on the way for their tesla. I feel this brought shame to the city as if it revolves around you. If this is what people think, I would ask that they take a hard look in the mirror or better yet look at the people freezing in the streets or overdose in the parks. It has been 45 days since somebody in the police administration leaked false information about our commissioner. This family can terrorizes a small business and vandalize the neighborhood with flyers and calling people to join the zoom session. It just sucking. I'm embarrassed for the

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family and feel terribly sorry for cafe nell. I hope that the mercado family can maybe just take a look at how privileged you seem to be and just ask why it is so important that your needs are met when the need of so many others never get the time of day and the audience of the mayor. I think this could be at the time with by talking to cafe nell or some other chain of command. I'm really not trying to be a jerk. I apologize for like taking a stance. You guys are people and live here too. It is a lot, when there's a lot going on in the city with a lot of people. I thank you for your time and wish you safety a great day. Thank you.

Clerk: That completes testimony.

Wheeler: Good. What do you want to do? Commissioner Hardesty.

Hardesty: Thank you, mayor. I would move that we uphold the -- the decision of the noise officer.

Wheeler: We have a motion from Hardesty. Can I get a second?

Ryan: Second.

Wheeler: Second from Ryan. Further discussion? Please call the roll. [roll called].

Ryan: Thank you. First I want to thank the family, the mercado family for being here this afternoon. And for all of the people that came to testify. I want to thanks Paul Van Orden for his good work. You must do a lot of great work. This is a noise ordinance. I think -- I think I will definitely vote yes on this. It is also to do a suggestion. It sound like the owner Vanessa Preston, nice to see you. It sounds like you're in good faith with wanting to continue to have communication with your neighbors. I really liked when the mayor mentioned mediation and I hope that you all continue to -- to communicate with one another. We are in unpress -- unprecedented times. I think the hospitality industry has been targeted as the most challenging of all of the businesses to stay intact. So the fact that you've been -- you've been creative. And persistent to figure out how to keep your employees on payroll in a city that is known for being a foody city and being a city that appeals to folks that want to come during the establishment such as cafe nell, thank you, vanessa for being resilient and figuring out how to stay open during this time. I definitely heard what the family had said and -- I just have faith that you're all going to work this out. Most importantly, people keep getting vaccinated so that we can get some herd immunity and have your insight open again. I hope we could be creative and help our businesses and neighbors thrive. We talked about shared sacrifice and nobody is experiencing anything normal of late. I hope we continue to lean in as Portlanders. I vote aye.

Clerk: Hardesty.

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Hardesty: I want to thank the mercado family for coming and making their case here today. As stated however we're asked to make a decision that is narrowly focused. It is whether or not the noise officer made the appropriate decision whether he granted the variance. As has been said, we're still in a pandemic. As city of Portland, we're trying to do all we can to help restaurants stay in business. As we know the governor just announced we're going back to no longer having indoor seating. We've been on that rodeo for a year. That means all of us are impacted whether we're employee of restaurant and thank goodness there's 30 people still employed at cafe nell. And been employed throughout the entire pandemic. And many restaurants can't say that. This is about noise. An if decision was made and it is cheer that the decision would have been probably the same without the pandemic with some exceptions. I feel confident in supporting the decision of the noise officer. I understand people are impacted. I encourage us to look for common ground. I believe cafe nell should work with neighbors and deal with what happens when a restaurant closes. We have to understand all of our lives have been permanently impacted by a pandemic. I hope the best of us comes out during these times and not -- not the worse of us. I vote aye.

Clerk: Mapps.

Mapps: Thank you. Like my colleagues I want to express my appreciation to the mercado family for bringing this before us. I'm sympathetic to your plight and the plight of the neighbors. Many issues brought up today strike the land use issues which maybe deserve attention but that's not what we are here today to do. Instead we're focused on a very narrow issue around whether or not the noise control officer made the right call here. I have seen no evidence today that to the noise officer was -- everything I've seen suggests the noise officer is in compliance with the rules. I'm al moved by the fact that -- that -- that this variance expires at the end of the week. Like my colleagues I hope this is a situation that the neighbors and restaurant can figure out how to work together. During a time of economic crisis and the pandemic, I think we're going to get through this, we have to communicate effectively and figure out how -- how to do this. I can tell you love your neighborhood. I want support in that. But I'm going to support the noise officers ruling so I vote aye.

Rubio: I appreciate the discussion today an also acknowledge like my colleagues the challenging times we're in. It is hard for small businesses and people alike. I want to appreciate the thoughtfulness and working with an equitable lens. All of these things matter. To echo my colleagues, our role is narrow. It is to decide if the variance is in accordance with the law. To me it

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appears that the owner has made good faith efforts to do what is required in these uncommon times. I really do hope along with my colleagues that there's a mediated resolution, or conversations that can be found outside of this forum. Everyone here is aligned about this neighborhood and the ecosystem that makes it vibrant. Based on what I heard and the documents to share with our offices, I'm compelled to uphold the decision by the city. -- issue by the city.

Wheeler: I want to thank the Mercado family. This was for to be an uphill battle based on the code itself and has been indicated, the code is somewhat antiquated and it is somewhat vague. Therefore that gives the noise control officer a great latitude. Our question today is did he appropriately interpret the code title 18 in making his decisions? I have seen no evidence to suggest that he did not. I will also acknowledge the shortcomings of that code. I support the decision made by the -- made by the noise control officer. There's a message here that you're probably over tasked. You do a fantastic job on an extremely limited budget and limited resources for a city this size. I think people on both side of the issue indicated. Some of this code may need to be updated as we see more disputes as we move to be a more outdoor society. I'm sympathetic to the arguments of the mercado family. They're not germane to the specific question that was before the council and unfortunately for them but I'm sympathetic nonetheless to their desire to -- to have a censure in their home. I to hope there's concerns for the families and others. I agree they would be very open to those kind of conversations. Maybe the noise could be turned down later or off sooner or the speakers could be faced a different way or -- there's -- there's the mats dried outside at closing. I don't know what that is about. It has been years since I was a dishwasher. Maybe some of this could be changed. Maybe the trash pick in. Maybe there's compromises that could be collectively reached that would enable to be able to get along under these very trying circumstances, both for -- for our households as well as our small businesses. Vanessa, I want to thank you for -- for your leadership during the very difficult time, a lot of our restaurants were not able to make a go. During covid you were innovative and creative. You tacked quickly as soon as the initial restrictions were put into mace by all accounts, we've done well. For the record I have not dined at cafe nell. My problem is when I make a reservation for two, 15 show up. So I moved on to -- to take out and -- and learning to cook at home. But I want to thank you for the work you're doing to be flexible during this pandemic and keep your operations running, keeping our residents employed, continuing to keep resources in our local economy at a time when it is desperately needed. You know, it is not

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really my place to call on you to ask you to do anything but I'm just imploring you from one person to another, let's see if we could work with your neighbors and see if there aren't compromises that could be struck in good faith and alleviate the conflict that currently exists in the community. With that I vote aye. I to support the noise ordinance officer's decision given the framework that has been provided here during this hearing. The motion is moved by commission Hardesty passes. I do have a question of legal counsel. At hearings like this. Is this tentative vote or permanent vote, what is this?

Garcia: It is a final vote. The parameters are for the board or council to modify or remand the decision. The council has voted unanimously to affirm the decision of the noise control officer.

Wheeler: That's correct. Does that complete our business then here?

Garcia: Yes.

Wheeler: Okay. Thank you for everybody that testified and gave your perspective. That was good conversation. We are adjourned. Thank you all.

At 4:14 p.m., Council recessed.

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Closed caption file of Portland City Council meeting

This file was produced through the closed captioning process for the televised city council broadcast and should not be considered a verbatim transcript. The official vote counts for council action are provided in the official minutes.

Key: ***** means unidentified speaker.

April 29, 2021 2:00 p.m.

Wheeler: Afternoon session. Please call the roll.
(roll call).

Wheeler: Under Portland city code and state law we're holding this meeting electronically. The city has made several avenues available to listen to the audio broadcast. The public can also provide written testimony to the council by e-mailing the council clerk at cc testimony at Portland Oregon dot gov. The council is taking these steps due to the covid 19 pandemic. The pandemic is an emergency that threatens the public's health, safety, and welfare. Thank you all for your patience, flexibility as we manage this difficult to conduct the city's business. We'll here from legal counsel on the rules of decorum.

Anne Milligan: To participate in council meetings you can sign up to briefly speak about any subject. You may sign up for public testimony on first readings of ordinances. Your testimony should address the matter being considered at the time. When testifying please state your name for the record. Please disclose if are you a lobbyist and if you are representing an organization, please identify it. Generally you have three minute it testify unless otherwise stated. Disruptive conduct such as shouting or interrupting or council deliberations will not be allowed. A warning will be given that further disruption may result in the person being placed on hold or ejected from the remainder of the meeting. Please be aware that all council meetings are recorded.

Wheeler: Thank you. We have three items today. Will you please conduct the reading?

Clerk: The state of the city design report.

Ryan: It's a pleasure to introduce the state of the city design report. First I want to start off by thanking the dedicated volunteers that serve on the commission. This commission meets on Thursday afternoons, two to three times each month for many hours that go beyond those meetings. As they review land use cases and provide design advice. Thank you all so much for

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your service. Today this commission will be presenting their eighth report before the council. They have been operating since 1980. They provide leadership and expertise on design and architecture. This report comes to the council at an important time as we are reviewing the overlay zone amendments. Expanding design overlay districts and looking towards the economic recovery of our city across all of our neighborhoods. Like you, I'm looking forward to hearing more today from the commission members about their work. With that I'm delight today turn it over to chair Julie Livingston to share the commission's 2020 state of the city design report. Take it away Julie.

Julie Livingston: Thank you so much. Good afternoon to you and good afternoon to commissioner Mapps and mayor Wheeler. We're very glad to be with you this afternoon. Thank you for making time for us. All seven commissioners are here today. We put this report together with the intent of discussing guidelines and the rationale that underlies our decisions. Even though you currently introduced us. I'm going to ask each commissioner to introduce themselves. Let's please begin with commissioner Santner.

Zari Santner: Very pleased to be here.

Sam Rodriguez: Brian, design commission. Happy to be here.

Brian McCarter: Brian, design commission. Happy to be here.

Chandra Robinson: Design commissioner, pass it onto Jessica.

Jessica Molinar: Jessica, design commission. Passing it onto don.

Julie Livingston: Where did he go. He was here. Don will return. I'm Julie Livingston. We missed the opportunity to make a report in early 2020 because of the pandemic. 2019 was a particularly busy year. We missed about eight weeks of public hearings but the spring was followed by a frenzied summer as we cleared the backlog of cases. Now we've worked through that backlog and it's been quiet for several months. That's not to say that the work doesn't continue. It's slow and even though development proposals are beginning to trickle in, our work load won't return to what it was before covid 19 until the plywood comes down. The purpose of design review is to promote design excellence through the application of design guidelines that build on context that contribute to a public realm and quality and resilience in changing demographics and economy. We design our conversations around these three tenants. We'll spend about five minutes on each. There's plenty of time for questions and discussion. There's a built in break at the end of every section or we can save all of the q and a for the end. Whatever works for city council. We would like to save the final ten minutes for the 2019 and 2020 excellence award

winners. The architectural firm that gives a strong response to guidelines and excellent architecture. They are here for a few minutes of invited testimony. I'm going to screen share and push the slides forward today. Let me know when you see my screen.

Wheeler: Does anybody have any problems if we wait until the end of the presentation to do the q and a. Is that okay with folks?

Ryan: Sounds good.

Livingston: We are going to begin with a discussion of context with commissioners Jessica and Robinson.

Robinson: Context is really important because Portland has wonderful neighborhoods. The distinctive characteristics of a specific neighborhood. How the design commission is able to evaluate a project not just how it meets the city goals but how it respond it the changing physical realities of the place and singular identifiable and special. Every new building has an impact on context. It's the challenge to interpret the context guidelines in a manner that respects the past, understands the present, and builds for the future.

Molinar: Here you can see an example of a poor response to context with a large image on the left. A good response to context with a large image on the right. The poor context ignores the neighbors and does not provide an active ground floor. Limited openings and transparency. The example on the right does a great job of taking its cues from buildings in the neighborhood, the masking, facade and general quality are all complimentary to the neighborhood. Next slide, please. When we talk about context, we think about it and consider it in regard to its potential future via zoning, we consider it at the neighborhood scale, the surrounding blocks and context that is immediately adjacent to the proposed development. Next slide, please. The proposed development we've selected to describe context was the Pepsi blocks. The ability to blend into the neighborhood. The development choose to set the new buildings back from the existing boulevard. In doing so they're retaining a neighborhood icon and place and neighborhood character and providing a public amenity. Here is a closer view of the pavilion and plaza.

Robinson: All right. What you're seeing here is still about context. You'll see a bunch of buildings below from the surrounding area. The new development on top. Even though it's much larger in scale, it has punched openings. Those individual window openings as opposed to a connected horizontal ribbon of windows or an all glass facade. Those would be more common and appropriate in the downtown district. The architecture on the new development helps it blend into the existing context. It's not trying to match exactly but blend in. Publicly accessible open

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space on the ground floor. It's not common in this neighborhood, it is desired as part of the future area. People would feel safer and make it a neighborhood destination and add a lot of activity. Thinking about planning area character. What you're seeing here is residential units at grade level. They incorporate porches and vegetation these are meant to echo property across the street and provide some of that smaller scale residential into this super scale and large scale development. Lastly in context what you see here is that iconic pavilion and this large open plaza around it. This new plaza is a compliment to the retail use on the ground floor, residents can gather with the public in this privately owned space. It's large, open, accessible, and pleasant. It's connected to the pedestrian system.

Livingston: Okay. We will move onto public realm. Before we do, commissioner just let me know that he lost his internet connection. Sam, I hope you have the notes.

Rodriguez: What? I got it. He talked to me too.

Don Vallaster: I think I might be back on.

Livingston: Okay. Public realm is going to be presented by Brian.

Zari Santner: Good afternoon, I appreciate being before you to talk about these very important subject matters. We'll cover the public realm which includes sidewalks and publicly accessible outdoor spaces within a development. These are the most democratic spaces in any city. These are places for people. Where they come together freely, intermingle, socialize and enjoy the variety of commercial and entertainment provided by the adjacent development. We would like to illustrate a couple of examples of dos and don'ts of a successful or not so successful public realm. Brian will start with don'ts.

Brian McCarter: Thanks. On the left is one of my favorite projects in Portland demonstrating not how to identify public realm. You can see it's not a friendly environment at street level. It sits at a podium. Blank walls, no awnings. No eyes on the street from adjacent businesses. There's really very little there to really invite to you be in that space. The active part of the building is thirty feet up in the air.

Santner: In contrast the slide on the right demonstrates a well-designed public ground which is welcoming, feels comfortable, supports the unobstructed movements while allowing social interaction and adjacent public enterprises. We've chosen the Oregon square blocks in the lower district as an excellent demonstration on how a project successfully meets these very important guidelines. The designers of this project have been skillful in using unified set of design almost. Such as the street furniture, trees, paving materials and seating. Consistent in their locations to

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create a sense of comfort, unobstructed movement and continuity along the sidewalk. The choice of trees, and variety of planting and ground floor spaces work together to create the vibrancy of the streets and adjacent commercial activity. The design choice of developing a curbless low traffic street removes pedestrian obstacles and creates a barrier free environment for people of all abilities. The deep furnishes and planting zones create pockets and a strong sense of continuity into other parts of the district. The designers chose ample spaces for layered lush landscaping for large trees to create a safe buffer for pedestrians and privacy for people who are living or will be living in ground floor units. This will lead to the existing pedestrian treatment of eighth avenue two block to the south. Next, please. The power ramp guidelines include the treatment of roof tops. This project's roof tops include outdoor amenities for the occupants of the building. Taking advantage of the city's skyline and river beyond. Allowing them to cast watchful eyes and is respectful of the neighboring buildings. Brian will cover additional guidelines including in this public realm.

McCarter: Public realm make up 19 of the 32 guidelines. The same care going into the outdoor space as you can see the designers paid attention to the exterior of the building. You can see how the high degree of transparency of all levels looking out to the public spaces which makes people feel safer. Can you see the effort they made in the awning treatments that extend extensively around the building to give people a place to stay out of the rain. You can see a little bit different treatment at the corner of the building where the two glass plains butt together. You can imagine conference rooms looking down and making this building feel very active at night. Adjacent balconies on the corner. The same space with extension of northeast eighth on the south really allow to frame that space and terminate it at the existing state of Oregon. Looking at the way the ground floor has been handled. We look for the height of the ground floor is always greater than the upper floors of the building. It's particularly important in commercial space. What can you imagine is over time if the tenants in the building change in ten or 15 years, that's a facade that easily adapted to new business? If a different one wants to take a different size space, it's easy to adapt the size of that building. Conference rooms inside the buildings are connected to outdoor patios which allow people to step out of a meeting and take a call, have a conversation with someone else while they are doing that, they are making the outdoor space feel that much more comfortable. Again, spaces that have eyes on the space feel inviting and more comfortable. And getting down into a little bit of detail, we looked at the ways this design team had integrated outdoor lighting in a variety of ways in facade tucked away beneath

benches, they really went to a lot of trouble to integrate light without glaring in your eyes. They integrated cut lettering into exterior high quality material. They've done this throughout the signage of the building. This is a good segue into the next tenant which is permanence and resilience.

Livingston: Thank you so much. Our third tenant which is quality and resilience.

Don Vallaster: This is the third design tenant and covers our perceptions of the built environment. Creating something which is difficult to define characteristic comes from a thoughtful response to the quality embedded in the sets of design guidelines. These include one cohesive site in building design. Use of building materials and design strategies. Design work that promotes resilience, health and environmental stewardship. On your left is an example of materials that are failing. It's not necessarily that they are bad materials but some are unfortunately exposed to weather conditions that are not conducive to longevity. The examples on your right are examples that are held up well over time and look like they will continue to do so going into the future.

Sam Rodriguez: To illustrate this tenant we chose Lincoln high school which was a successful project that went through the design review process. Good design starts with good site design. Current user needs and also recognizes the user needs in the future and the changes in time and demographic climate changes. The site plan -- this is the location of Lincoln high school. It was an interesting problem to solve. Part of this design team worked really hard with the neighborhood association, Lincoln high school task force as well as Lincoln high school community to figure out the best way to figure out the layout of this site. One of the major things -- moves they made was 17th avenue through the site. Breaking the block up with high quality materials. As well as some interesting moves along salmon street and great exposure of trees and natural environment. Mixing of public realm in this, the high quality site design and preservation of heritage trees on the corner of 14th and salmon. I'm going to move onto the next one.

Vallaster: Resiliency. The design team has elected to cover the entire roof surface that is not occupied by mechanical equipment with solar panels and vegetation protect the roof's surface from the sun's rays. Design for coherency. A diverse group of uses from gyms, library et cetera. Window sizes and locations and massing moves. Circulation pass through stitch building uses together and are clearly visible from the building exterior which is an unusual feature of this building. Locating the main vertical circulation system at the corner of salmon and 18th street is

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a brilliant move. Students are exposed to natural light, pedestrians in turn are entertained by intermittent burst of activity as students change classes or head to the cafeteria, library, computer room or other building or school rooms. The horizontal circulation paths which you see here facing the east side of the building. This makes this particular design fairly unique to have the circulation paths instead of buried in the center of the building, they are both exposed. Brick is a common material used in the two institutional buildings; it was sheathed in a more modern material. Panels and gives the school its own distinctive character. Gateways, the new school along with the similarly scaled new apartment buildings have created a new and very strong gateway to the downtown core. This project clearly delineates residential from predominantly commercial uses. Main street will be curated by rack and both enriches the pedestrian experience on 18th street and pedestrians and motorists along the city core. It makes up the long building massing. Thank you.

Livingston: Thank you. Now we'll move to design excellence award for 2019. This is actually a very ephemeral award. We don't have a plaque or certificate or anything for the design team to take away. Since 2016 the design team has made this award to the project that best accomplishes the three tenants of design as well as really outstanding architecture. The 2019 award is made to the treatment center and host architecture. They are here for a few minutes of invited testimony today. Dave, it's all yours.

Dave Otte: Thank you. Greetings commissioners and mayor. It is my pleasure to be here today to testify by design review and the positive ow comes with our collaboration with the treatment centers. It's a very challenging site. It's zoned for active commercial use but located at the north end of impact parking. Context, public realm, resilience and architecture with high quality detailing on a budget. Through the design advice request process.. This early public meeting was essential for a few reasons. It gave an opportunity for public input and transparent community engagement at the outset of the project before too many major design decisions had been made. It was early enough in the design process that allowed us to offer multiple options as opposed to only presenting one option. It provided valuable feedback from it the design commission that gave the confidence to move forward and assurance that there was buy in to the overall concept. Projects like these are complicated. It requires balance and needs of the neighborhood, architecture like this cannot be regulated through standards alone. This require discussion, collaboration, and compromise. I want to thank our planner for her constant

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attention and dedication to this project success. Our Portland design commission for helping us think outside the box for the betterment of our city. Thank you.

Livingston: Thank you very much and congratulations. Our 2020 design excellence award is made to Jones Architecture for the northbound 30 collaborative. This is in north west Portland that is subject to the community design guidelines. Allen Jones is here.

Alan Jones: It's an honor to accept the award. We were fortunate to work with a visionary client. They originally conceived the idea of a pocket neighborhood along highway 30 behind the industrial sanctuary and forest park. The original vision was to have three or four architecture teams to work in tandem to create a diverse friendly neighborhood. The collaboration and vision led to a unique and creative scheme. The eight lots were broken down in a checker board pattern with courtyards on each lot. A cluster of nicely scaled buildings in which each of the lots relied on and benefited from the adjacent lot and development. Once this idea gelled, we realized this was definitely outside of the box in complying with the development standards. We applied for a pre app and got initial feedback. What the path might look like in terms of the process and how to pull off the proposed scheme. The commission also recognized the concept and supported the direction. The nature of the first hearing shifted to a collaborative conversation centered around how to make the scheme as strong as possible given that multiple standards had to be modified. It became a discussion about how to comply with each of the guidelines. Each commissioner had a point of view and things they were concerned about. It became a stronger process. I want to talk about a few of the guidelines. Context. As an edge condition the north west neighborhood and forest park the contextual influence and noteworthy. We had conversations with staff and commissioners and landed on a scheme that nicely stitched all the conditions in an appropriate way. The series of courtyards worked together as a series of networks. The courtyards are outdoor rooms for people to gather, stop, with nice landscaping, paving and amenities. Modifications approved regarding vehicular access points significantly reduced the impact of cars. I wanted to talk about the issue of quality. Due to early envisioning. Quality and permanence was from the beginning. The visionary approach of having multiple design teams at the table. Use of mass timber, brick, wood and high quality masonry. In summary we support the design review process in Portland. Our experience the projects that go through design review are far better as a result. The design review districts are by far the most livable in the city. The overall design built of the built environment. The permanence and materials are noticeably better. In the forty year history the design review

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process in Portland have made it the most livable in the west coast. Regardless of the type and use of the project all projects should be held to the same high standards. We understand it's a very difficult time and a lot of hardship in our city. We believe in the long run. Please empower and enable staff and the commissioners to be confident in modifying standards while holding the intent of the guidelines. The same degree of type two projects can be challenging. Empower staff to make decisions that are supported by the grid lines. Allowing it to happen even earlier and with less preparation. Feedback to teams and general public in order to improve understanding and eliminate misinformation. We're advocates of the staff and the process. The process has improved over the years both in terms of the time lines. Staff and commissioners are well informed and experienced. We certainly look forward to the design review projects and look forward to working with this talented group.

Livingston: Thank you. Thank you to city council. We are happy to answer any questions that have you. Senior planners, Tim and Hillary add am from the design review and historical landmarks.

Wheeler: Any questions at this particular juncture. Let me just say how much I appreciate this presentation every year. I can't remember if this is the fourth or fifth time I've had the opportunity to hear this presentation. It's always inspirational. I appreciate the work that you do. I love the fact that you recognize great architecture that is representative of the type of architecture we would like to see in our community. I had opportunity to go to the treatment center to their gateway facility just a couple of weeks ago. I was blown away. I was beyond impressed. Not only from the functionality perspective. Obviously every single aspect of what a treatment facility should look like and function and how the flow of things should be were carefully and methodically considered. Just the cool architecture. You can't help -- I sort of have this image of what a residential facility should look like. The minute you see the building and especially when you walk into that incredibly cathedral like entry hall with the floor to ceiling glass. An incredibly well thought out courtyard. It looked almost like a five star hotel. The rooms were really thoughtfully designed and functional. I loved the balconies. The way the outside activities and community space were blended into the overall concept. I thought it was a plus plus. I'm really glad the commission is acknowledging that work. I want to shout out Jones architecture and northbound 30, what a fantastic project. I appreciate that you're taking into account two very different types of architectural feats here. I want to appreciate the time you're taking to acknowledge the good work in a community. I want to take the time to acknowledge

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your good work and that youthfulness and the time commitment you put into this, self-meetings a month hours upon end. Bless you. Thank you for making our community such a special place to live. Commissioner maps and then commissioner Ryan.

Mapps: I want to thank the committee for their work and stellar presentation. I see an understand our city at a different level. That's been one of the personal transformations that I've undergone since I've been on this council. It's a real pleasure every time we get to interact. Looking to the future and maybe at our present, how can design review help us adapt to some of the new economic realities and physical challenges that Portland is currently facing. I don't know who to send that to.

Livingston: That's a great question. I'll start and hand off to Sam. I'm guessing you have some thoughts about this as well. My view of design review, we've been doing this for more than forty years, right? This is an institution of Portland. The reason Portland is great is because we do do this. All the residents of our city benefit from this process. Even the even handed application of design review in all of our commercial centers and corridors. Not just the center of the city. This is a great leveler. This is a process that everyone can participate in. This is a process that assures that all buildings regardless of who lives in them are well designed buildings with a great public realm and are built well to last for a long time. That's my view on it. We can't let this go because it's so incredibly important for the city and the people who live in the city.

Sam Rodriguez: Thank you. It's a great question. There's always that balance that needs to be struck between efficiency to get projects out and the economics which the design commission doesn't dive into. That with the ultimate result. At the end of the day all these three tenants today are crucial for a successful billing and community. A successful site and city. The different scales that we work in. The level of care of how each building contributes is crucial to bringing the city back to where it was and beyond. Make it an equitable, fair, and livable city that we all want to live in. It's a crucial process even though at times it gets maligned with other processes. We appreciate the fact that the building next door is going to be just as good as my building. It creates a fabric that we all want to live in and be a part of.

Livingston: You touched on this. There are no guidelines about money. Money is not a part of the conversation. Every material is a good material.

Mapps: Thank you for that really rich response. Thank you to the whole committee for this really excellent presentation.

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Ryan: I want to start by acknowledging the award recipients. I haven't been to the treat center yet but I look forward to going. It's really an example, some examples you had where the context wasn't that great. And those that were complimenting the context. This one seemed to upgrade the context of that area. Hats off. I've been through my lived history I've been around treatment centers. It's refreshing to see one that will have access to addiction and recovery and such that actually is pleasant. It really pleases me to see that. I was taken that said the process is about discussion, collaboration, and compromise. Did I get that right? That was beautiful. The best government we have we have a discussion and figure out how to get to the greater good of the population results. The other one I think was mentioned by the other architect about the early feedback and how important it is on the front end to do a lot of work. We keep hearing in the improvement process, an early sign is how to lean in to early collaboration with those in the permit process. It saves a will of time going forward down the road. It was great it see those two. Commissioners is there any -- I think the last -- I'll wait until the close. I see the other colleagues are here. Hello commissioner Hardesty and Rubio.

Wheeler: Thank you commissioner Ryan. Commissioner Hardesty.

Hardesty: First I want to thank the design commission for your report. This is always an exciting opportunity for the city council to see projects that have been completed and not just completed but now are a part of our broader community. I want to say to de Paul. I was at a luncheon one day and we chatted about this effort. It seems like just a couple of weeks ago. I can acknowledge it was probably about almost three years ago. Now the project is completed. It is beautiful. It is exactly what you presented to the city council as your vision for what you wanted to do on that space. As a resident of gateway, let me tell you how much I appreciate adding such a beautiful billing to my community. It gives me -- it makes me prouder to know that the treatment center is as beautiful as it is. It will benefit my community for generations to come. It's amazing. Sometimes it feels like it takes us forever to do things in the city. And sometimes it feels like we did it as quickly as possible. For developers, people who developing is their day job. You can tell me whether or not this was quick or not. What I can tell you is that what I know is the care and passion that went into this work. I forgot the name of the --let multitude of white buildings and trees. What an incredible creation that is and how beautiful that is. I may have mid the presentation about where that particular piece it located. I'll be looking for it. Thank you for all you do and the wonderful volunteers and thank you for your passion for the city of Portland. Regardless of who is meant to be inside the building, low income, people experiencing

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addiction, whether they are seniors or 20 somethings I'm grateful to the design commission. It's clarity in your work that beautiful design should be accessible to earn. Thank you for what you've done. I look forward to next year's report and condition wait it see what else is coming down the pipe.

Wheeler: Thank you commissioner Hardesty. Commissioner Rubio.

Rubio: I missed the beginning part but I'm eager to watch it today or tomorrow. From the outset of the report I want to appreciate that it was trunked with the intent of providing more context on the work of the commission and council. As commissioner in charge of bps, I recognize the critical connection that our bureau has with bbs and instrumental collaboration between the design commission as well. Four months into my first year in office, it's been impressive to see your work in action. We are so appreciative of your wisdom and time and your service here. I just want to say thank you for this, I also look forward to continuing to go work together. I have a question out of curiosity. How much of your time on any given project? I just want to get a sense of it. It's evident that you put a lot of time and care into your work. As someone learning would love to get a sense of that. Also how has covid change the work of the commission. Has it changed it in some ways or left it the same?

Livingston: Great questions. I'll give you an answer. If any design commissioners would like to contradict me feel free to. Provided the average case load was 12 to 16 hours for prep work and hearings. Additional hours that happens outside of the case load. That's a fair amount. That said, we don't necessarily meet every week. It's great to have a break every once in a while. Covid was tough we had no hearings for eight to ten weeks. When we restarted there was an immense backlog. Everybody needed to get their projects through today. We work incredibly hard over the course of the summer. We had meetings sometimes more than one day a week to get everybody through the pipeline and approved and hopefully get approvals for projects. Things dried up in the fall. It's been really quiet through the fall. Projects are starting to trickle in but we really need investor confidence.

McCarter: There's parts of the zoom process that have been in some ways almost better. All cosines of rich materials and real colors. We could stand up and look at those things with your real eyes and not be looking at them on a computer screen. That part of it we badly miss. When we get down to the decisions of is this the right brick color with that metal. That hard to do on a zoom call.

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Santner: Can I add one thing as well. That relates to how our working has changed since covid. One aspect, a very important aspect of our work is the public's involvement through coming to commission meetings and talking about their concerns and desires. We've been thrilled about how community cares about design and their opinions. The zoom has had advantages and disadvantages. More people are able to come and participate through zoom or at least watch us. That interaction between the commission and the public is a little bit effected. It's sort of a double edged sword there.

Livingston: I see we're at 2: 59 p.m. I think the historic landmarks commission is right behind us at three o'clock.

Hardesty: I move that we accept the state of the city design report. .

Wheeler: Commissioner Hardesty and maps second the report. Any discussion. Please call roll. (roll call).

Ryan: I really thank you and the recipients for coming. I want to acknowledge the bbs staff. It's great to see you again. The people from the other bureau that we partner with bps, it's a great collaboration. Thank you for your dedication to the city. I vote aye.

Hardesty: Thank you once again for a very exciting report. That says something when an error is exciting at city council. I'm greatly appreciative of your hard work, your volunteer efforts. Jamie I'm grateful that you continue to be so inspirational to the city. I vote aye.

Mapps: Thank you for your work and this excellent presentation. Thank you for making Portland. I vote aye.

Rubio: I want to echo my colleagues in appreciation and also for all your tremendous work and hours you put it. Your commitment shows in making the city the great place that it is. Very happy to vote aye.

Wheeler: I vote aye. The report is accepted. Thank you very much for a fantastic presentation. We look forward to more of the same. We set the bar higher every year. Next up we have time certain item 294 please.

Clerk: Accept the landmarks preservation report.

Wheeler: Commissioner Ryan.

Ryan: Thank you all of you for your service. This commission has been providing leadership and expertise on enhancing our historical heritage and protecting buildings. The 13th report will be presented before the council. The updates the city regulations for historic resources are making their ways to the city council over the next few months and we ensure the resources community.

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I look forward to hearing from the commission and invited guests. I'll turn it over to you for the 2020 state of the city reservation report. Thank you so much for being here.

Kristin Minor: Thank you so much commissioner Ryan. I'll start screen sharing in a moment. I just wanted to appreciate for a second seeing everybody's facing here together. Honestly I'm so appreciative of the time that you all take as elected officials just to hear and check in with all of the aspects of running the city. In this time especially where it's just emergency after emergency, you could just prioritize. You don't do that. You make time for everything. I wanted to thank you all. For the landmarks commission. This is our chance to meet you face-to-face. Tell you what's going on and who we are. With that I'll start sharing my screen. The image that we chose at this initial slide is of the Burnside bridge with a racial justice demonstration in honor of George Floyd. We chose it because this is such an important image. It captures some of the intensity of this past year and reminds us that history is actually happening all the time. The Burnside bridge may not be around in the current state in years to come. As I begin flipping flow slides, I wanted to remind my commission and invited testifiers to go ahead and speak up to give me a queue to change the next slide. I may not be able to see you but I can hear you. I'll start with a brief introduction of who we are. There are six of us current commissioners. We are hoping to fill one vacant slot pretty soon. You'll be seeing each of us in turn. I'll let them introduce themselves with their part in this presentation. I wanted to acknowledge the faces of two commissioners who served all of or part of this past year. I also wanted to extend gratitude to Hillary Adam who is the bds staff to our commission. I'll briefly tell you what we do. In a normal year, the bulk of our work is really land use cases. We see type three cases which can be new construction and historic districts typically using guidelines made for that district. Or type threes that are alterations to a designated building. We also see type twos on appeals. Staff make those decision but we're the appeal body for any historic review. Type four recommendations to you for demolition reviews. We provide design advice for early stages of a project. Legislative advice to city council and to the planning commission regarding code projects. In historic districts we see guidelines for those districts being updated or developed. There's a bunch of other stuff that we end up doing. We're a resource for other agencies and bureaus and officials. I hope that we can serve you as a resource as well. That includes things like briefings, advocacy, outreach et cetera. Our presentation today is largely taken from our report. I hope you've all had a chance to at least skim through it. We're in the going to cover all of it in our presentation in front of you today. There's a good handful of projects in that report that I hope you get familiar with a little bit that

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the commission approved this past year. We're really excited to see these start to go up in various parts of the city. For this presentation, we're going to start with our overall goals and priorities. The underpinnings of why we do what we do. The first of these is preservation justice. The idea that as a city we have to work to uplift and honor places that's were and are still important to underrepresented groups. I think we can all agree that there have been too much focus on white history and there's been too much erasure. Finally affordability that the idea is that most older residential buildings even after retro fit are are often inherently less expensive. We call that naturally occurring affordable housing. It's also important to remember that designation of these older residential apartment buildings allows access to funding which is major tax credits and protects them from demolition.

Kimberly Moreland: Good afternoon city council members and members of the design commission and also staff and others. My name is Kimberly, I'm one of the new landmark commissioners. Today I would like to discuss the Portland historic landmark commission. The conservation justice. The recently approved Portland African American property or mpd was a major step forward to historic preservation efforts with areas of high concentration of underserved and underrepresented people. The mpd opened the door for individual nominations including the I block which is the upper right of your screen. This provides incentive for the property on it it as well. There's financial benefits as well as having a sense of pride. I would like to thank the city of Portland for leading the way in the current effort to nominate -- golden west hotel and doctor's church which is one of the three early black churches in Portland. I believe that the broader community recognize the importance of preserving the heritage of groups that don't benefit, art murals, monuments have been installed recently that memorialize people, places, and events that are important to their community. A future installation for abolitionists and these two projects among others demonstrate the desire by our community of the historical contributions of our community especially African Americans and people of color. I read a quote that says anti-racism work is not transactional. It's not about checking the box. I believe it's the same with preservation justice. It's not about listing a bunch of properties that have significant to people of color. It's about building relationships. It's about engage withing the community and their history. It's about understanding why historic reservation is not just a elitist tool. We respect and love historic features and homes that have unique historic character. I hope that I can -- my work with the historic landmark commission

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can help acknowledge that the path home and engage more with the community that's been impacted or not benefits from historic preservation. Thank you for your time.

Andrew Smith: Good afternoon commissioners. I've been serving on the landmarks commission for a little over two years now. As Christen mentioned before. Landmarks commission has regularly underscored the vital role that preservation plays in sustainable climate change. Preserving existing building has the added benefit of converting construction waste from landfills and retaining embodied energy that was spent in the construction of those buildings to begin with. Which in turn combats climate change. Sustainable building tech unwilling are advancing at a rapid pace. When you calculate the savings of a new building compared to a baseline building it takes on average 38 years for the energy savings to outweigh the embodied energy to assemble that building's component parts. Call to action in 2018 outlines four strategies for the construction industry to respond to climate change. Of those four retrofit existing buildings whether those incentives are financial or done through changes to city code will literally better meet every single one of the plan's guiding principles. The push towards sustainability has been happening for the past 25 to 35 years. Our primary concerns are earthquakes and wild fires. Unenforced masonry buildings represent the highest risk in the city to a construction disown seismic event. The corner of northeast MLK Junior. It was recently converted or maybe some of you have been to the restaurant. It was converted to an ice lantic hostile. The total development costs of \$7 million, the tax credits amounted to \$2 million.

Maya Foty: Sorry. I'm the one with the technology issues. Sorry. Hopefully that's it. Thank you for having us Mayor Wheeler, it's nice to meet the new commissioners. I'm the vice chair. In my fourth year on the commission. I'm excited to be here. I'm going to touch on the affordability issue. The provision of affordable housing and historic preservation are combined. Steep increases in housing prices. The city first sought to identify in 2013 one study of the area which is pictured here so you can see exactly where that falls. Twenty-four demolitions were larger and cost more than the originally demolished house. Demolitions are occurring at a rate commensurate with the area. The housing policies as they are currently failing the population. A project reviewed recently, if you can go to the next slide. The conversion of the 1919 old people's home into 18 units of affordable housing. The project has been widely supported by both neighborhood residents and housing projects. It was a great project to review. We encourage city council can bolster these initiatives. We must be mindful and how we encourage demolition. Thank you.

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Matthew Roman: Thank you. Thank you city council for making time for us on your agenda today. Preservation is an equally important topic of your attention. I'm here to advocate for adoption of the historical preservation project and the inventory. This program was established under the preservation act of 1966 and sets criteria which are listed nationally. Changes to the state law required local communities to set their own standards. The historic research code project is Portland's response to these changes. Gives local control over how resources are identified and what level of protection they should receive. Updating the hrp updates the inventory, it helps Portland catch up. The space is limited. Previous planning practices, red lining infrastructure projects. We've invest less than we should in maintaining and protecting minority owned properties. We've advocated for funding for a city wide survey like that was conducted in Los Angeles California. If small steps are all we can make consider funding limited areas that protect the most endangered areas. Funding the hri is a step of correcting injustice of the past by making a public investment. Funding the hr makes protect defining features and corridors. Funding hr meets goal four point two eight, identify, protect, and encourage the use of rehabilitation of historic use and corridors. Mapping a vision of the future of Portland. We cannot know the impact of our communities without a proper survey. It ensures diverse communities see themselves in the places that are preserved. Those places are a physical manifestation of peoples and places that have lived here.

Kristen Minor: I wish you could see the other commissioner here. I'm speaking in her place right now. Another action item that the commission is advocating for today is the creation of cultural heritage plan. Our commission doesn't have much capacity to be proactive. We can advocate or provide testimony to other bodies and commissions. We're set up to react to specific proposals or designations that come to us. Perhaps that is as it should be but we also want accountability for the goals and policies of the plan. We believe that a cultural heritage plan will set up a hierarchy of preservation policy but will assign responsibility and a very minimal but ongoing budget to start fill in the missing gaps for cultural representation and acknowledgement of past harms by the city. We propose that a cultural heritage plan will focus on identifying and designating historic resources important to underserved and under recognized communities. It's important that this work happens in a transparent way and be led by those communities specifically and have those communities collaborate with the city. Despite all of the comp. Plan policies that encourage it around engagement and preservation of places across the whole spectrum of Portlanders there not now a process or any accountability for achieving any of these

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goals. The other thing I wanted to mention here is legacy business program. That was initiated down in the bay area. It's now in a few other cities. It's about the idea that communities are not just anchored by physical buildings. That really communities are anchored by people and businesses. The program recognizes living, changing enterprises that keep communities together. Eventually that can come with grants or loans but the initial stage is often just recognition and celebration of the role that long term businesses play in a community.

Foty: Back to the URM. URM funding and our watch list. We have old ranch style house which is slated for demolition. These buildings are just a couple of examples contain churches, housing. It's complicated with no straight forward answers. The problem is not going away and much can be done while we wait. Two landmark commissioners were on the panel that the city created to study the URM issue in addition to finding cost effective strengthening schemes and finding a way to help owners pay for them. It becomes an effective tool and part of this effort. We highlighted an example that the state of Washington filled out in a similar effort. We encourage city council to keep moving this forward, apply for grants specifically earmarked for disaster mitigation. Critical to the city infrastructure and can also become an exciting opportunity for investment in our existing neighborhoods.

Minor: We do have two projects to highlight for you today. Those are our award winners. Every year we pick a couple of projects. A new construction and a renovation. It's often hard to pick. I want to make sure that you all know that. Each one that we do pick we want to highlight some qualities to really focus on and appreciate. The rehabilitation project of the year the courthouse is an example of a team finding a new use for a building that has been -- it's a massive downtown presence for so long. While the exterior changes will be pretty limited. You will notice new entries, better engagement with the street. And a few other pretty minor alterations whereas inside the alterations are quite extensive. I'm going to introduce -- we have a few more slides. The first speaker that you'll hear from today is gbd architect. He'll be telling you a little more about this project. He will be followed by Joe Laydo, you architects the new build is unicorn bed apartments. The winner of the new construction category, we wanted to highlight the incredible thoughtful analysis of the Alphabet District and the site. Many thoughtful details and layout. This isn't really a super flashy project but it will house its target audience which is single parents and kids in an attractive and compatible building that anyone would be proud to live in. Here I think I'll conclude the landmarks presentation. Unless the city council has any

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questions now for us. Perhaps I'll just go ahead and introduce the three final invited testifiers we have with us today.

Wheeler: I'm not seeing any questions right now. Let's hear about the awardees.

Livingston: Just to finish my introduces. Public schools to talk about Benson high school. A student finishing his master's degree at the university of Oregon. Sarah who I asked to tell us about his work in adaptive reuse.

Agustin Enriguez: Thank you. Good afternoon. Thank you for the opportunity to address the council regarding the renovation and repurposing of the courthouse. The building was constructed in two phases. First phase was in 1909, and 194. It's an important landmark and individual listed in the national register of historic places. Along with cleaning the exterior of the building. A seismic upgrade to ensure it survives another century of service to our community. Here you can see the existing court in the center. That's porn. The three design goals that were highlighted were respecting the historic details. Seismic upgrades are tricky in historic buildings. The internal courtyard was hugely to build new structures. The building is formidable, this is a plan but it's demonstrating that the stone base has very few minimal windows. It occupies a few city blocks, there's only a few entrances. More access to the building upgrade. There's really no doors or windows. The next slide we are able to introduce more access and historic entries introduced over time at south main as seen here. Southwest fifth. You can see this is southwest fifth. The new entry for a new event center. It's a really dramatic news. There was this entry. It's a balancing act. Local, state, and national guidelines to meet, they can often be in conflict. My experience with a historic landmark review has been a positive one. Thank you.

Joann Le: Hello. Thanks. Founding principal of del architecture. On behalf of our team, we thank the landmarks commission for this recognition. The unicorn property owner and Kevin of gorilla development. Their vision was to provide 13 extremely affordable apartments with a focus on single moms. The neighboring fabric is a mix of styles and framework of outdoor spaces. Gardens and courtyards. Porches and balconies create a pedestrian friendly and very livable environment. This is the context and character we designed this project it fit into. The building massing immediate ways between the larger apartment building to the west and smaller house to the east. In the case of this project, the commission agreed with this assessment that the essence of the alphabet district is a diverse mix of building, scale, and styles connected by the network of courtyards and gardens. How the building connect to it the outdoor room and embodies the spirit of the district. Taking inspiration from historic balconies the exit stairs

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encourage socializing and connection to the courtyards. The railings are laser cut steel with organic motifs. Our office does primarily modern architecture. We design foremost for the livability of the building's inhabitants. Our projects have frugal budgets. The the families have access to a nearby park and other amenities to be a part of the community and where they can contribute to the ongoing story and history of the neighborhood. Thank you.

Livingston: Thank you. Next, general. Please.

Jen Sohm: Good afternoon. I'm a project manager with Portland public schools office of school modernization. I'm pleased to be here this afternoon joining you to talk briefly about the Benson polytechnic high school. Starting in 2016 during the tech's master planning phases we fostered a strong relationship with the Portland historic landmarks commission. We benefited from their leadership and expertise. The high school is a Portland designated historic landmark. Over one hundred years old it's in need of a full modernization to fix a number of safety upgrades and teaching and learning updates as well. The high school is one of a kind four year career technical education focus. Bps high school with over a hundred years of providing education city wide. Students gain valuable real world experiences, car repair, screening for die beaties and graphics and websites. Next slide, please. I'll highlight some of the design progression elements which were real positive design attributes that resulted from the historic landmarks consultation and reviews. This is the street level iconic facade. The design really benefited from the removal of some retaining walls and redesign using a sloped lawn which actually resembles the existing sloped lawn. The reduction of guard rails which better maintains the classical views. This is a night lighting perspective here. The design refinements included lighting revisions with more even and equity distribution for the stairs and ramped walkway as like. Some of the revisions to new building additions included the exterior siding which was changed from metal sliding to brick. Along the south historic walkway there were a number of positive design attributes that came out of our interactions and rea views. The south facing wall with views out to the buck man field, the hand scape enhancements which is a neighborhood connector between northeast 12 and northeast 15. The new building is set back from the historic facade with a roof terrace that overlooks the field. This is a view of the cte courtyard. This area includes over two hundred bike space covered spots. The teaching uses more emphasis in safety. The outdoor classroom and shop areas housed here that will be using this outdoor learning space automotive, imagine tech, and engineering. If you would like any more information about this fantastic and interesting project, please visit the website.

Livingston: Thank you. Next up.

Jeronimo Roldan: Thank you for inviting me. Thank you to mayor Wheeler and commissioners Hardesty, maps, and the landmarks commission to speak with historic preservation in Portland. The biggest lesson I learned from this work is that the design and the architect's ideas are not the most important part of the project. The way it employs the knowledge and techniques where a building will live for many years after completion. Upon moving here, we took a lot of walks around our neighborhood and love the continued use of the older school buildings. As someone who graduate up in the mid-west, I was witness to a rush to condemn public schools from the same area. As a student I had the opportunity to do a remote internship with the historic survey. I met with a lot of the people involved with the landmarks business program and cultural heritage districts. I decided to write my thesis in cultural heritage around the united states. Studying planning initiatives in cities like Tucson, san Antonio architectural heritage can be retooled that give meaning to our home. Consider the adoption of the historical resource code and heritage for those of us eager to do our part for heritage. Thank you.

Livingston: Thank you. Next up is Clark.

Clark Brockman: Hello. I'm principal, thank you for inviting our testimony today and to you city council for your interest in this important topic. My interpenetration will build on the notion of embodied energy. We have the pleasure and privilege, there's a real spectrum from full on preservation projects like the courthouse. Adaptive reuse projects like the hotel and the recently completed affordable housing building. We put back a very high performance face of the facade. We put shading devices to further enhance the project. This project that I think is relevant to other. There was so much weight involved with that that we had almost no seismic upgrade required on a project that was built in 1972. Those changes that we made the building perform sixty one percent better. Recently we took to a study to get to commissioner smith's notion of embodied energy. What is the embodied carbon commissions avoided versus a very similar building? The saving was fifty three percent avoidance of carbon emissions all by just preserving the superstructure. It was really gutted an yet those bones retain fifty three percent of the carbon emissions. That savings is equal to about a billion gallons of burned gasoline. It's not insignificant. We don't need to go into this graph in detail. This is rather complex. The thing to net is all of our existing buildings are effectively a combine of carbon. There's a carbon debt that's effectively purchased by the city and society. Every time we reuse a building we can save 50% or more even with significant in depth retro fits. In closing, I would just say there's a big

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opportunity. Everything from historic preservation and retro fits. You should just be looking for policy approaches and ideas on how to mine that sequestered carbon that have you sitting in your city right now. Thank you. That's all.

Livingston: Great. Thank you so much. And I am stopping sharing and I also wanted to apologize that it is just now turning 4: 01 p.m., we have taken up a lot of your time. If there are any quick questions, we would be delighted to answer them.

Wheeler: Don't worry. That was a fantastic presentation. We appreciate the hard work and time. Commissioner Hardesty and commissioner maps.

Hardesty: Thank you for that very informative presentation. I'm giving apologies now because I will probably have to leave before we vote because I'm late for my 4: 00 o'clock. We should incentivize preservation. What does that look like? Every time I tell people we need to do better. People are like let's incentivize. What does that look like especially if we're trying to preserve the history of folks whose history has not been preserved. What are we incentivizing and why?

Livingston: Thank you so much commissioner Hardesty. I'll try to jump in here. The first thing I wanted to mention is that the typical way that the construction industry works. Led by developers and contractors is a model that achieves, they look for great efficiency. It make it's easy for them to demolish things and put up something they already know how to build. They want to start from a clean slate. As a city we know that there are many benefit it keeping the building but we have to work within the industry to make that a available path. By incentives, I am talking about perhaps that there are ways to reduce the financial impacts to these businesses to change the way they do things. Perhaps there are training opportunities to get them to understand more how to renovate and work with the smaller hoard of folks that are working in glazing and window rebuilding. The smaller contractors. That's part of the answer. I guess, you know, Kim, perhaps can you jump in on the second half of her question.

Moreland: The idea that if you save money on taxes -- there's other financial benefits from having a commercial property as well on -- an also some of the local churches when they are nominated, they can apply for national trust grants for sacred places. They can maintain historic features.

Livingston: I'll also add that carbon costs could factor into this. Really adding carbon accountable to that equation can help. Thank you.

Hardesty: Thank you. Both of those comments are really helpful. As we become more aware of who we are talking about when we talk historic preservation as we broaden that definition. I am

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very hopeful that collectively we will come up with a reparation as approach that ensuring what is left preserves other people's history that aren't white. We acknowledge that we should do some assessments about whether or not those should have a historic designation. And there's not a lot of time for that. The other presentation that we heard were saying, we hope at some point we become attractive to investors again. I hope that doesn't happen for a couple of years. I hope we give natives an opportunity to get through this economic devastation and we're not putting all our eggs in the baskets we did previously. The results show that that has not worked ever in the sit yif Portland. I'm very grateful for your work. I'll tell you like I tell other people. If you are asking us to do something in a report that's not an official document. I appreciate the representations but I just want to be clear because I think a will the of people present to us their reports. Our recommendation is go do it. Why didn't you do it, there was no official ask of the city council. I love the work that you do. I think we have a will the of beautiful buildings that deserve to be protected as we come out of this pandemic. I'm looking forward to working with you all to make sure we're intentional and not just talk being it. Thank you. Sorry. I do have to go.

Wheeler: Commissioner maps.

Mapps: Thank you Mr. Mayor. Thank you for the historic landmark commission for the presentation and the important work you do. For those of new the audience or watching at home, if put haven't had the chance to read this report, I recommend it highly t. Will teach you something important about our city, both its history and our future. I have a statement and a couple of nested questions. I want to express my support for your calls for the city to pursue a inventory. I'm very excited about your cultural heritage plan. African Americans have been living in Portland since at least the 1850's. Last time I checked there are only three spaces on the national historic registry that are there because of their connection to black history. This concerns me an awful lot. We're at a moment when -- I think it's important that we get that inventory done an get that cultural plan together. One of my concerns in particular this is where the question comes in. I'm particularly concerned about preserving black churches. That's where you see a lot of black history here in Portland. Many of these spaces are economically and structurally vulnerable. Some of you folks have been around for these debates before. Over the last couple years I've heard concern about how we do both preserve these black churches and help them retro fit and balance the economic tensions there. I know this is a complex topic, I would love to here, I know you touched on it a little bit in your report, someone who is in a position how this council should think about that particular dilemma, I sure would appreciate it.

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Livingston: Thank you so much. I might call on Matthew to help me with this. Let me --

Foty: I'm going to go a little rogue. This is an extremely complex issue. Essentially it's so much money. A lot of it was your idea but the jist was wouldn't it be great if the city could take some fema fund funding that's available for the disaster mitigation an create teams of engineers and help with these assessments. Just assessments comfort a fortune. We can start with the churches, help them at least understand what they need to do when is step number one. How are we going to fun these things which is the big complex issue? That's a tiny way of moving things forward. It's a way of finding ways to move things forward.

Smith: I will add one thing which is for those of you familiar with the energy trust of Oregon. They have a very good incentive program. It was the genesis of thinking about this. The couple thousand dollars for to you have an eco-alternatives so everybody can see road map of what it is. The thought was if money can be doled out, a few thousand dollars for building owner or chic to get an assessment done, they could really sort of wrap their arms around what they are dealing with. Without that it's this daunting nebulous thing that's out there. In that sense a little by of money can go a long way towards helping building owners get towards getting a sense of numbers.

Wheeler: Excellent. I'll entertain a motion.

Ryan: I'll take that. I want it to move that we accept the historic landmarks commission 2020 state of the city report.

Mapps: Second.

Wheeler: Gentleman we have a motion and a second from commissioner maps. Oh, my goodness it's been a long day. With that please call the roll.
(roll call).

Ryan: I appreciate you have people invited testimony some award recipients, it really brought home your presentation having them be included. I would be remiss if I don't tell you how proud I was to do work and getting the first lgbtq historical presentation. The queer community, we're so delighted. It was great to see you all advocate for that. Kristin, I want to thank you for your years of service. I'm blown away with how many hours you put into this work. It shows how much you love our city. I vote aye.

Mapps: I want to thank the commission and our presenters, I truly appreciate the work that you do for our history an ourselves and our children which I think is even more important. I look forward to working with you in the future and following up on some of the actives that you laid

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out especially around the cultural preservation piece of this important work. Those are some of the reasons why I'm delighted to vote aye.

Rubio: Thank you so much for the presentation, it was so informative and really interesting. Every time our commission comes before council we get a glimpse of Portlanders who are willing to donate their time especially in these times. This is no different. In fact this commission will engage in some of the most important decisions moving forward about resetting a cultural inclusion for Portland. It elevated the issue about erasure and black indigenous and peoples of color. The policies and procedures that people have in this recognition, education, and amplification of these Portland stories that continue to be left out or have been left out of our cultural narrative. I'm very excited about the lenses you're using and the proposal cultural heritage plan. Being careful about what and who we're including when we talk about preservation. I'm very interested in your work about cultural spaces and not next communities. I would love to learn more about that work in particular. Also I want to share congratulations to award winners and commissioners. Thank you for the hours and hours of wisdom that you contribute to our city. I look forward to the body of work that will go into the preservation justice as well.

Wheeler: I agree whole heartedly. I want to thank you all for the time and energy you put into this incredibly important work. I get asked a thousand ways to send a -- every time I'm asked to speak to a group. What do you love and appreciate about Portland? It's uniqueness, neighborhoods, our history, traditions, culture are different. They are unique. While we're in a time in history where we're holding all of it up to a bright light and asking ourselves what parts of our history are less than exemplary and how do we learn from that history and move forward in meaningful ways respecting everybody in our community, as commissioner Rubio said, it looks simple on paper but when you get down to the brass tacks, you really have to wrestle with these issues and think about what is it that's unique and exciting that's worth preserving and what's unique about our community that maybe needs change. You are one of those commissions that has as the intersect that discussion. In your own way have you to find the answers to those difficult questions that we're all trying hard to answer worrying now. Because as was noted this isn't as much about past as it is about the future. What we really want for our community going forward. Some of the brightest minds and innovative speakers in our community. I'm not just saying it because I believe it. You're not getting paid. You're passionate about it. I'm really grateful. I thought this was an interesting presentation. Absolutely worthwhile. I'm appreciative

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that you took time out of your busy day to be here. A lot of people do watch this. I'm sure they are go to go find it enlightening as well. Thank you for putting so much effort into this interpenetration. Commissioner Ryan, thanks for two really great presentations today. Thank you for all of your work and insights on this. This is time I think extremely well spent. I vote aye. The report is accepted. We'll look forward to more great things in the future. Colleagues unless I've really screwed up, that's it for our agenda this afternoon. We are adjourned.

At 4:21 p.m., Council adjourned.